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United Nations

# Commission on Narcotic Drugs

## Report on the Thirty-Eighth Session
(14-23 March 1995)

## Economic and Social Council
Official Records, 1995
Supplement No. 9

E/1995/29
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## NOTE

Symbols of United Nations documents are composed of capital letters combined with figures.

E/1995/29
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# CHAPTER I

# MATTERS REQUIRING ACTION BY THE ECONOMIC AND SOCIAL COUNCIL

## A. Draft resolutions

1. At its thirty-eighth session, the Commission on Narcotic drugs recommended to the Economic and Social Council the adoption of the following draft resolutions:

### DRAFT RESOLUTION I

### Integration of demand reduction initiatives into a cohesive strategy to combat drug abuse*

The Economic and Social Council,

Recalling the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control adopted by the International Conference on Drug Abuse and Illicit Trafficking 1/ and Economic and Social Council resolution 1991/46 of 21 June 1991,

Acknowledging the Political Declaration and Global Programme of Action adopted by the General Assembly at its seventeenth special session, 2/ on 23 February 1990,

Reaffirming the importance of Council resolution 1993/35 of 27 July 1993, concerning demand reduction as part of balanced national strategic plans to combat drug abuse, and the need to ensure its implementation,

Recognizing that demand reduction encompasses prevention, treatment and rehabilitation as well as social reintegration,

Further recognizing the particularly important role of prevention within demand reduction,

Reminding Governments of article 22, paragraph 1(b), of the Convention on Psychotropic Substances of 1971, 3/ of article 36 paragraph 1 (b), of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, 4/ and of the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) adopted by the General Assembly in its resolution 45/110 of 14 December 1990 which offer the possibility of applying to drug abusers, in appropriate cases of a minor nature, alternatives to, or measures in addition to, conviction and punishment, such as treatment,

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* See paragraph 54 below.

Stressing the importance of a long-term global commitment to alleviating the serious consequences of drug abuse for the health and the social, economic, political and cultural fabric of communities,

Believing that optimum effectiveness in drug abuse control would best be achieved through a balanced approach, applying the appropriate emphasis and resources to initiatives involving both demand and supply reduction, and integrating such initiatives into a cohesive and comprehensive strategy,

Also believing that effectiveness in combating drug abuse is enhanced by cooperation and the combined efforts of all sectors of society, including those of voluntary and non-governmental organizations in the ownership of problems and the quest for solutions,

Stressing the importance of evaluating programmes for drug abuse control and sharing information on their effectiveness,

1. Requests the Executive Director of the United Nations International Drug Control Programme, in consultation with Governments, appropriate United Nations agencies and non-governmental organizations, to clearly define their global strategy for demand reduction, specifying their aims, priorities and responsibilities, and to report to the Commission on Narcotic Drugs at its thirty-ninth session;

2. Also requests the Executive Director to develop, in consultation with Governments as well as organizations represented in the Commission by observers, a draft declaration on the guiding principles of demand reduction, for submission to the Commission at its thirty-ninth session, and subsequently, through the Economic and Social Council, to the General Assembly for adoption;

3. Further requests the Executive Director, in preparing such a draft declaration, to take into account the relevant recommendations contained in the Global Programme of Action and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, with due regard to flexibility in approach and cost effectiveness;

4. Further requests the Executive Director to report to the Commission at its thirty-ninth session on the implementation of Economic and Social Council resolution 1994/3 of 20 July 1994, with particular attention to progress made in the development of innovative methods of data collection and analysis, the identification of reliable and comparable data regarding the nature, extent and consequences of drug abuse, and the revision of the annual reports questionnaire;

5. Requests that demand reduction be a permanent item on the agenda at each session of the Commission;

6. Encourages Governments, regional organizations and multilateral agencies to work together in developing knowledge of the social and economic costs of drug abuse as a contribution

towards the objective assessment of the cost benefits of policy and programme options in order to achieve established goals or aims of strategies to reduce the supply of and demand for drugs;

7. Also encourages Governments to adopt comprehensive national strategies that reflect the reality and necessity of a balance between supply and demand reduction efforts, with operational linkages between those two areas, taking into account the social, economic and cultural conditions of individual countries;

8. Encourages the Executive Director of the United Nations International Drug Control Programme to continue to facilitate and promote the dissemination of information and the sharing of the benefits of experience gained in the development and implementation of balanced national strategies integrating comprehensive initiatives aimed at supply and demand reduction;

9. Invites the International Narcotics Control Board to continue to report on progress and deficiencies in demand reduction programmes at the national level, in a manner that will provide a more comprehensive understanding of the illicit drug problem;

10. Encourages intergovernmental cooperation regarding demand reduction at the regional and international level through various means, including meetings for the exchange of information and experiences;

11. Stresses the need for cooperation among all Governments and the importance of involving and assisting voluntary and non-governmental organizations as well as mobilizing community participation in demand reduction;

12. Requests the United Nations International Drug Control Programme to update, in consultation with other United Nations agencies, the Resource Book on Measures to Reduce Illicit Demand for Drugs 5/ and to develop a glossary of terms to ensure a common understanding of terms.

13. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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1/ See Report of the International Conference on Drug Abuse and Illicit Trafficking, Vienna, 17-26 June 1987 (United Nations publication, Sales No. E.87.I.18), chap. I, sect. A.

2/ See resolution S-17/2, annex.

3/ United Nations, Treaty Series, vol. 1019, No. 14956.

4/ Ibid., vol. 976, No. 14152.

5/ AR/INF/1982.5.

# DRAFT RESOLUTION II

## Enhanced regional cooperation to reduce the risks of drug abuse*

The Economic and Social Council,

Alarmed at the escalation of drug abuse problems and at the increase in the range of substances being abused in all regions,

Recognizing that the negative implications of drug abuse have global, regional and national dimensions,

Also recognizing the negative consequences caused by the abuse of licit drugs,

Alarmed at the increasing rate of infection by the human immunodeficiency virus (HIV), hepatitis C and other blood-borne viruses associated with injecting drug use,

Deeply concerned that illicit demand for, production of, and trafficking in narcotic drugs and psychotropic substances are taking on new dimensions that threaten public health and the social, economic and political conditions in affected countries and areas,

Reaffirming the determination of the international community to fight against drug abuse and illicit trafficking in accordance with international law and, in particular, with respect for the principle of sovereignty and territorial integrity of States,

Recognizing that the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control adopted by the International Conference on Drug Abuse and Illicit Trafficking 1/ and the Global Programme of Action adopted by the General Assembly at its seventeenth special session, 2/ on 23 February 1990, serve as useful guidelines for developing and implementing strategies to fight against the problems of drug abuse and illicit trafficking,

Recalling its resolution 1993/35 of 27 July 1993 on demand reduction as part of balanced national strategic plans to combat drug abuse,

Commending the initiatives and collaborative efforts of many countries and the establishment of regional coordinating bodies,

Recognizing the progress achieved by the United Nations International Drug Control Programme in the development and implementation of subregional strategies, and commending it for its efforts,

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* See paragraph 54 below.

Noting the success of the Asia Pacific Conference on Drug Abuse: a Balanced Approach, held at Sydney, Australia, from 29 May to 2 June 1994, and the declaration adopted by that Conference, in which countries of the region reaffirmed their commitment to the following goals: coordinating and implementing comprehensive measures in both supply and demand reduction; a partnership between health, law enforcement and other relevant agencies, including non-governmental organizations; and effectively addressing the health and social consequences of substance abuse,

Aware of the need for a more comprehensive, integrated and collaborative approach to control the supply of, and demand for, all drugs of abuse, in close cooperation with relevant organizations of the United Nations system and other regional and international organizations,

Recognizing that the complexity of the drug problem requires all sections of the community and Government to work together,

Also recognizing the importance of developing and implementing comprehensive national strategic plans that incorporate a range of supply and demand reduction measures and take into account the social, economic and cultural conditions of individual countries, of establishing national coordinating mechanisms with the involvement of personnel responsible for both law enforcement and demand reduction, of identifying national priorities and coordinating the implementation of strategic plans, and of providing mechanisms for evaluation and where necessary, redirection of strategies,

Recognizing the need for countries to adopt a range of culturally appropriate prevention strategies, including treatment, education, information and rehabilitation, and addressing the social and family problems that may lead to drug abuse and the transmission of infectious diseases, such as acquired immunodeficiency syndrome and hepatitis, through the use of shared injecting equipment,

1. Urges all States and relevant organizations to strengthen their efforts to cooperate with the United Nations International Drug Control Programme in the development and implementation of subregional strategies and to give meaning and substance to the United Nations Decade against Drug Abuse;

2. Urges all States to ratify or accede to and effectively implement the international drug control conventions or, until ratification or accession thereto, and to the extent that they are able to do so, to apply provisionally the terms of those conventions;

3. Encourages regions to explore the need for, and cost benefits of, mechanisms designed to support multi-agency approaches, such as regional conferences that periodically bring together health, law enforcement and other relevant agencies, including non-governmental organizations;

4. _Encourages_ initiatives and projects designed to establish effective regional networking to combat drug abuse;

5. _Urges_ those States with expertise to share their knowledge and experience with other States in their region, having particular regard to priorities in the field of drug abuse control in the States concerned.

6. _Requests_ the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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_1_/ See _Report of the International Conference on Drug Abuse and Illicit Trafficking, Vienna, 17-26 June 1987_ (United Nations publication, Sales No. E.87.I.18), chap. I, sect. A.

_2_/ See resolution S-17/2, annex.

## DRAFT RESOLUTION III

### Promoting the use of memoranda of understanding to facilitate cooperation between customs authorities and other competent administrations and the international trading community, including commercial carriers*

The Economic and Social Council,

Deeply concerned about the unlawful use of commercial carriers for the illicit traffic in narcotic drugs and psychotropic substances and in precursors and essential chemicals,

Recalling Economic and Social Council resolution 1993/41 of 27 July 1993 on promoting the use of memoranda of understanding to facilitate cooperation between customs authorities and other competent administrations and the international trading community, including commercial carriers,

Recalling also article 15 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, 1/ which provides for cooperation between appropriate authorities, including customs and commercial carriers,

Recognizing the importance of the use of memoranda of understanding concluded between the World Customs Organization, originally established as the Customs Cooperation Council, and international trade and transport organizations, as a means to improving cooperation in combating illicit drug trafficking,

Noting that a review undertaken by the World Customs Organization of the effectiveness of the programme of memoranda of understanding has revealed that both customs operations and trade have benefited from the adoption of such a programme,

Noting also that an increasing number of States have implemented memoranda of understanding,

Noting further that the adoption of a programme of memoranda of understanding has enabled States to improve the capacity of their law enforcement agencies to target and intercept illicit drug trafficking without hindering the free movement of innocent persons and legitimate international trade,

1. Commends the World Customs Organization for its work in demonstrating the effectiveness of the programme of memoranda of understanding developed at both national and international levels to combat illicit drug trafficking;

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* See paragraph 76 below.

2. _Commends also_ the cooperation of those Governments which shared their experiences with the World Customs Organization, and thereby demonstrated the wide support of the programme of memoranda of understanding;

3. _Invites_ those Governments to further promote the effectiveness of the programme of memoranda of understanding, notably as reflected in the practical benefits of enhanced cooperation and understanding, and to actively support the efforts of the World Customs Organization by sharing their experiences with other Governments;

4. _Further invites_ more countries and trade organizations to take part in the programme of memoranda of understanding;

5. _Urges_ all States that have not already done so to implement fully article 15 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,by taking appropriate measures to prevent the use of commercial means of transport for the trafficking of illicit drugs.

6. _Requests_ the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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1/ Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).

## DRAFT RESOLUTION IV

### Demand for and supply of opiates for medical and scientific needs*

The Economic and Social Council,

Recalling its resolutions 1979/8 of 9 May 1979, 1980/20 of 30 April 1980, 1981/8 of 6 May 1981, 1982/12 of 30 April 1982, 1983/3 of 24 May 1983, 1984/21 of 24 May 1984, 1985/16 of 28 May 1985, 1986/9 of 21 May 1986, 1987/31 of 26 May 1987, 1988/10 of 25 May 1988, 1989/15 of 22 May 1989, 1990/31 of 24 May 1990, 1991/43 of 21 June 1991, 1992/30 of 30 July 1992, 1993/37 of 27 yJuly 1993 and 1994/5 of 20 July 1994,

Emphasizing that the need to balance the global licit supply of opiates against the legitimate demand for opiates for medical and scientific purposes is central to the international strategy and policy of drug abuse control,

Noting the fundamental need for international cooperation and solidarity with the traditional supplier countries in drug abuse control in general and in the universal application of the provisions of the Single Convention on Narcotic Drugs of 1961 1/ in particular,

Having considered the Report of the International Narcotics Control Board for 1994, 2/ which points out that in 1993 the consumption of opiates was higher than the production of opiate raw materials, and that in 1994 there was a shortage of supply,

Noting that the traditional supplier countries held very limited stocks of opiate raw materials at the end of 1994,

Noting the importance of opiates in pain relief therapy as advocated by the World Health Organization,

1. Urges all Governments to continue contributing to the establishment and maintenance of a balance between the licit supply of and demand for opiates for medical and scientific needs, the achievement of which would be facilitated by maintaining, in so far as their constitutional and legal systems permit, support to the traditional supplier countries, and to cooperate in preventing the proliferation of sources of production and manufacture for export;

2. Urges Governments of all producing countries to adhere strictly to the provisions of the Single Convention on Narcotic Drugs of 1961 and to take effective measures to prevent diversion to illicit channels or otherwise not engage in licit production of opiate raw materials;

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* See paragraph 122 below.

3. Urges all Governments to fully comply with relevant recommendations contained in the Report of the International Narcotics Control Board for 1994 in this respect;

4. Commends the International Narcotics Control Board for its efforts in monitoring the implementation of the relevant Economic and Social Council resolutions and, in particular:

(a) In urging the Governments concerned to restrict global production of opiate raw materials to a level corresponding to the actual licit needs and to avoid any proliferation of production;

(b) In convening meetings for establishing a balance between licit demand for and supply of opiates, during sessions of the Commission on Narcotic Drugs, with the main States importing and producing opiate raw materials;

5. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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1/ United Nations, Treaty Series, vol. 520, No. 7515.

2/ United Nations publication, Sales No. E.95.XI.4.

# DRAFT RESOLUTION V

## Measures to strengthen international cooperation to prevent diversion of substances listed in Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and used in the illicit manufacture of stimulants and other psychotropic substances*

The Economic and Social Council,

Concerned about the recent discovery of worldwide diversion of vast quantities of ephedrine and pseudoephedrine from licit manufacture and trade to be used for the illicit manufacture of methamphetamine,

Recognizing the rapid increase in illicit trafficking and use of stimulants throughout the world, and the need for the international community to strengthen countermeasures against the illicit trafficking in stimulants and their precursors,

Taking note of the proliferation of the illicit manufacture of a variety of drugs, especially stimulants, which has occurred throughout the world, and the fact that such massive production depends upon an equally massive diversion of substances in Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 1/,

Realizing that brokers frequently serve as mediators in transactions involving substances in Table I which are ultimately diverted,

Recognizing the need for the international community to renew its commitment to cooperation through the exchange of information and to strengthen countermeasures against the illicit traffic in and abuse of psychotropic substances, in particular stimulants, and their precursors,

Noting with appreciation the publication entitled Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 1994 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,2/ and welcoming the initiative taken jointly by the International Narcotics Control Board and the Pompidou Group of the Council of Europe to hold a meeting of experts to review the issue of brokers dealing with precursors and psychotropic substances and to consider concrete measures to effectively control the operations of brokers,

Recalling its resolutions 1981/7 of 6 May 1981, 1992/29 of 30 July 1992 and 1993/40 of 27 July 1993,

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* See paragraph 141 below.

1. Urges that Governments, where appropriate, invoke article 12, paragraph 10(a), of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, in order to give importing countries advance notice of any shipment of substances in Table I of that Convention;

2. Requests the Government of an exporting country, subject to its legal provisions, to provide the following information to the competent authorities of the importing country prior to any export, even when the importing countries have not yet formally requested such notification under article 12, paragraph 10(a), of the 1988 Convention:

(a) Name and address of the exporter and importer and, when available, of the consignee;

(b) Name of the substance in Table I of the 1988 convention;

(c) Quantity of the substance to be exported;

(d) Expected point of entry and expected date of dispatch;

(e) Such other information as the exporting Government may deem relevant;

3. Requests that, for any substance in Table I of the 1988 Convention, the Government of an importing country, upon receipt of any form of pre-export notification from the exporting country, should undertake, through its regulatory authorities and in cooperation with the law enforcement authorities, an investigation of the legitimacy of the transaction, and, with the possible assistance of the International Narcotics Control Board, convey information thereon to the exporting country;

4. Urges exporting Governments at the same time to conduct their own investigation in questionable cases and to seek information and views from the Board, international organizations and Governments as appropriate, in as much as additional facts establishing suspicion may be available to them;

5. Further requests Governments, where there is sufficient evidence that a substance may be diverted into illicit channels, to stop the shipments or, where circumstances warrant, to cooperate in controlled deliveries of suspicious shipments in special circumstances if the security of the shipment can be sufficiently ensured, if the quantity and nature of the chemical involved is such that it can be managed feasibly and safely by the competent authorities, and if all States whose cooperation is necessary, including transit States, agree to the controlled delivery;

6. Urges Governments to exercise, as a matter of urgency, increased vigilance over the activities of brokers handling substances in Table I of the 1988 Convention, in view of the

special role that some of them play in the diversion of such substances, and to subject them to licensing or other effective control measures as necessary;

7. Urges Governments to ensure, as far as possible, that shipments entering or leaving free ports, free zones and bonded warehouses, be subject, where permitted, to the controls necessary to safeguard against diversion;

8. Urges Governments, subject to the provisions of national legislation on confidentiality and data protection, to inform the Board on a regular basis, upon request of the Board and in the form and manner provided for by it, of the quantities of substances in Table I of the 1988 Convention that they have imported, exported or transshipped, and encourages them to estimate their annual licit needs;

9. Requests the Board, drawing upon the capabilities of the United Nations International Drug Control Programme, to collect information pursuant to paragraph 8 above, and to further develop and strengthen its database in order to assist Governments in preventing diversion of substances in Table I of the 1988 Convention, and the Commission on Narcotic Drugs in discussing the control of illicit manufacture of, trafficking in and use of psychotropic substances, especially of stimulants and their precursors, and in formulating policy recommendations in this field;

10. Requests all Governments to provide the Secretary-General, subject to the provisions of national legislation on confidentiality and data protection, with names and addresses of the manufacturers, within their countries, of substances in Table I of the 1988 Convention, and further requests the Secretary-General to include that information in the publication entitled Manufacture of Narcotic Drugs and Psychotropic Substances under International Control;3/

11. Requests the Secretary-General, with the assistance of the Executive Director of the Programme and in consultation with the Board, to convene, drawing upon voluntary contributions from Governments, expert meetings in 1995 and 1996 of regulatory and law enforcement authorities of interested Governments, in order to discuss countermeasures against illicit manufacture of and trafficking in psychotropic substances, particularly stimulants, and the illicit use of their precursors on the basis of the study to be prepared in accordance with paragraph 12 below;

12. Requests the Secretary-General, with the assistance of the Executive Director of the Programme and in consultation with the Board, to undertake within existing resources a thorough study on stimulants and the use of their precursors in the illicit manufacture of and trafficking in drugs, and to prepare a report thereon for submission to the Commission, taking into account any comments that may be made on the study at the expert meetings referred to in paragraph 11 above;

13. Encourages Governments to consider strengthening, where necessary, the working mechanisms to prevent diversion of

substances listed in Table II of the 1988 Convention, as described in this resolution;

14. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation, and asks the Board, in cooperation with the Programme, to report on its implementation to the Commission at its thirty-ninth session.

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1/ E/CONF.82/15 and Corr.2

2/ United Nations publication, Sales No. E.95.XI.1.

3/ ST/NAR.4/1994/1.

## B. Draft decisions

2. At its 1120th and 1121st meetings, on 21 March 1995, the Commission discussed its programme of future work and priorities under agenda item 10. It drew up the provisional agenda and list of documents for its thirty-ninth session, to be held in 1996, and recommended to the Council the adoption of the following draft decision:

### DRAFT DECISION I

### Provisional agenda and documentation for the thirty-ninth session of the Commission on Narcotic Drugs

At its .................. plenary meeting, on .............. 1995, the Economic and Social Council approved the following provisional agenda and documentation for the thirty-ninth session of the Commission on Narcotic Drugs:

### AGENDA

1. Election of officers.

2. Adoption of the agenda and other organizational matters.

   Documentation

   Annotated provisional agenda

3. General debate: Government action to implement the Global Programme of Action and policy directives addressed to the United Nations International Drug Control Programme, including follow-up to General Assembly resolution 48/12.

   Documentation

   Report of the Executive Director on the activities of the Programme

   Report of the Secretary-General on the Global Programme of Action

4. Principles and practice of primary and secondary prevention in demand reduction programmes.

   Documentation

   Report of the Secretariat on the world drug abuse situation

   Report of the Secretariat on the state of knowledge in primary and secondary prevention

   Report of the Secretariat on regional cooperation in demand reduction

5. Illicit drug traffic and supply, including reports from the subsidiary bodies.

Documentation

Report of the Secretariat on illicit drug trafficking

Reports from subsidiary bodies

6. Crops from which drugs are extracted and appropriate strategies for their reduction.

Documentation

Report of the Secretariat

7. Stimulants and the use of their precursors in the illicit manufacture of and trafficking in drugs.

Documentation

Report of the Secretariat

8. Consideration of national drug control plans

Documentation

Report of the Executive Director

9. Implementation of the international drug control treaties.

(a) Changes in the scope of control of substances;

Documentation

Report of the Executive Director (as necessary)

(b) International Narcotics Control Board;

Documentation

Report of the International Narcotics Control Board for 1995

Report of the International Narcotics Control Board on article 12 of the 1988 Convention

(c) Other matters arising under the international drug control conventions.

Documentation

Note by the Secretariat (as necessary)

10. Monitoring of the United Nations System-Wide Action Plan on Drug Abuse Control and other coordination matters.

Documentation

Report of the Executive Director

11. Administrative and budgetary matters.

Documentation

Note by the Executive Director

12. Provisional agenda for the fortieth session of the Commission and future work.

Documentation

Note by the Secretariat

13. Other matters.

Documentation

(as necessary)

14. Adoption of the report of the Commission at its thirty-ninth session.

3. At its 1115th and 1116th meetings, on 17 March 1995, the Commission considered the report of the International Narcotics Control Board for 1994, and recommended to the Council the adoption of the following draft decision:

## DRAFT DECISION II

### Report of the International Narcotics Control Board

At its .... plenary meeting, on .... 1995, the Economic and Social Council took note of the report of the International Narcotics Control Board for 1994.

4. At its 1122nd meeting, on 23 March 1995, the Commission adopted by consensus the report on its thirty-eighth session, and recommended to the Council the adoption of the following draft decision:

## DRAFT DECISION III

### Report of the Commission on Narcotic Drugs

At its .... plenary meeting, on .... 1995, the Economic and Social Council took note of the report of the Commission on Narcotic Drugs on its thirty-eighth session.

# Chapter II

## GENERAL DEBATE AND POLICY DIRECTIVES, WITH PARTICULAR REGARD TO THE ECONOMIC AND SOCIAL CONSEQUENCES OF DRUG ABUSE AND ILLICIT TRAFFICKING

5. At its 1109th-1114th meetings, on 14, 15 and 16 March 1995, the Commission considered agenda item 3, entitled "General debate and policy directives, with particular regard to the economic and social consequences of drug abuse and illicit trafficking. For its consideration of the item the Commission had before it the report of the Executive Director on the activities of the United Nations International Drug Control Programme (UNDCP) in 1994 (E/CN.7/1995/2), a note by the Secretariat on the economic and social consequences of drug abuse and illicit drug trafficking (E/CN.7/1995/3), papers prepared by UNDCP on the social and economic impact of drug abuse and control and on drugs and development (A/CONF.166/PC/20/Add.2) and reports by intergovernmental organizations (E/CN.7/1995/CRP.2).

6. The Executive Director presented an introductory policy statement highlighting the activities and achievements of UNDCP during the past year and the challenges it faced in fulfilling its mandates.

7. Among the achievements were a series of initiatives which bore witness to the increased importance that UNDCP attached to demand reduction in its balanced approach to the drugs problem, particularly through the involvement of civil society. Of special significance in that regard was the convening of the NGO World Forum on Drug Demand Reduction, with participants from 112 countries, held at Bangkok from 12 to 16 December 1994, and the International Conference "Sport against drugs", held at Rome from 20 to 21 February 1995 and organized jointly by UNDCP and the European Olympic Committees on behalf of the International Olympic Committee. UNDCP had also continued its series of regional expert forums on demand reduction.

8. During 1994, UNDCP had strengthened its capacity for research into and analysis of the multifaceted global problem of drug abuse and illicit trafficking. The research and analysis effort was conducted along the following three lines: basic research in a specific national or sectoral context; the synthesizing of work in areas where the United Nations enjoyed a comparative advantage, as in the standardization of diverse forms of data available worldwide; and the transformation of accumulated information into formal research documents with the objective of guiding policies in key areas. In that regard, he referred to the innovative document on the economic and social consequences of drug abuse and illicit trafficking which UNDCP had prepared for the consideration of the Commission.

9. UNDCP, in cooperation with other partners, in particular the Crime Prevention and Criminal Justice Branch of the Secretariat, had intensified its activities in the field of

money-laundering. Emphasis was placed on the development of the necessary legislation, on awareness-raising, notably among the international financial institutions and in the private sector, and on the provision of training to personnel working in this field. Another important area of work had been the monitoring of precursors used for the manufacture of illicit drugs, exemplified by the innovative project on precursor control undertaken in South-East Asia on the basis of principles developed by the International Narcotics Control Board and the Chemical Action Task Force established by the heads of State or Government of the seven major industrialized countries and the President of the Commission of the European Communities. Similar projects would be implemented in South-West Asia and Latin America. He referred to the significant milestone reached in countering illicit traffic by sea and in the furtherance of the implementation of article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, 1/ through the recommendations adopted by the Working Group on Maritime Cooperation, held at Vienna from 19 to 23 September 1994 and from 20 to 24 February 1995.

10. One of the principal tasks assigned to UNDCP in 1994, as spelled out in resolutions of the Commission, the Economic and Social Council and the General Assembly, was the furtherance of coordination of drug control activities within the United Nations system. With a view to integrating drug abuse control as a component of the work programmes of the specialized agencies and other United Nations entities and to establishing a basis for more dynamic and effective action, the Administrative Committee on Coordination (ACC), at its meeting in March 1995, included, for the first time, international drug control as an item on its agenda. It was dealt with as the main substantive item at the ACC meeting, under the chairmanship of the Secretary-General. The executive heads of United Nations agencies explicitly pledged themselves to ensure that the links between drug issues and their own mandates would be addressed and integrated into their activities at headquarters and in the field. Furthermore, all ACC members took a proactive approach to the need for coordination, and agreed unanimously that UNDCP, in line with its mandate, should lead and coordinate activities, and offer its expertise and other support in this field of work. There was agreement to strengthen the United Nations System-Wide Action Plan on Drug Abuse Control 2/ and to make it more operational through joint initiatives in developing concrete sectoral and subsectoral plans of action, using the ACC Subcommittee on Drug Control as the main mechanism for coordination. The functioning of the System-Wide Action Plan could thus be transformed into a genuine forward-looking planning process. He stressed the importance of government efforts to promote coordination within the governing bodies of the different agencies, in order to build up the level of support necessary to achieve a significant change in attitudes towards concerted action within the United Nations system in the field of drug control.

11. He referred to the budgetary contraction facing UNDCP in the biennium 1996-1997 as a result of the expenditure of the

accumulated special contributions inherited from the United Nations Fund for Drug Abuse Control. That did not, however, reflect a decline in the level of confidence placed by Governments in UNDCP, as in many cases the financial support provided by donors had increased. Nevertheless, the Executive Director expressed his concern about the trend towards increased earmarking of contributions, which limited the operational agility of UNDCP, and drew attention to the need for UNDCP to receive, in accordance with the recommendation of the ad hoc intergovernmental advisory group established to assist him in preparing an assessment of issues covered in General Assembly resolution 48/12, of 28 October 1993, at least 30 per cent of contributions as general-purpose funds, in order to ensure the flexibility of UNDCP in implementing its mandate.

12. The Commission commended the Executive Director and the staff of UNDCP for the activities undertaken at the national, regional and global levels, and for the progress made during the past year. Many representatives reiterated the strong support and appreciation of their Governments for the comprehensive, balanced and integrated approach of the strategy and programmes implemented by UNDCP in cooperation with Governments, non-governmental organizations, the private sector and society at large. They reaffirmed the strong support of their Governments for the leadership role of UNDCP as the main focus for concerted international action against the illicit traffic in and abuse of narcotic drugs and psychotropic substances, and as the coordinator of drug control activities within the United Nations system. UNDCP was commended for developing a credible approach to the drug problem, important elements of which were the national master plans, regional and subregional arrangements to further cross-border cooperation, increased emphasis on demand reduction, implementation of the drug control instruments, and cooperation with other institutions. Programming had been strengthened by enhanced strategic planning, a more effective evaluation process had been developed, and the ability to react swiftly to new drug-related threats had been enhanced.

13. UNDCP was commended for the development and implementation of country-specific strategies, particularly the formulation of master plans, and for supporting institution-building, which was considered to be of paramount importance in ensuring the long-term impact of programmes. UNDCP was urged to continue to assist Governments in the formulation of such plans, considered an essential mechanism for addressing the problems of drug abuse and illicit trafficking in an effective and comprehensive manner. Several representatives indicated that their Governments had adopted national master plans based on guidelines and assistance provided by UNDCP. The Commission expressed support for the UNDCP three-layered strategic concept whereby national programmes, within the framework of national drug-control master plans, formed the basis upon which regional, subregional and global priorities were further pursued.

14. The subregional strategies of UNDCP, the objective of which was to coordinate anti-drug activities in producing areas and to enhance cross-border cooperation, was considered to deserve the

highest priority in South-East and South-West Asia, because of the difficulties encountered by central Governments in controlling the production of drugs in remote border areas. During the past year, new initiatives had been launched in South-West Asia, where the terms of a subregional memorandum of understanding had been signed by the Islamic Republic of Iran and Pakistan. UNDCP was urged to include Afghanistan and neighbouring member States of the Commonwealth of Independent States in central Asia in its subregional strategy for South-West Asia. A novel subregional initiative had been launched in Latin America, involving the governments of Argentina, Bolivia, Chile and Peru. In view of the positive results achieved in combating illicit drug trafficking and abuse through subregional initiatives in the Golden Crescent and the Golden Triangle, UNDCP was exploring possibilities for similar subregional agreements in other parts of the world. The view was expressed that the implementation of regional initiatives could be improved if UNDCP would further decentralize authority and decision-making to its field offices in the preparation and implementation of projects undertaken in the context of such initiatives. It was also suggested that regional and subregional programmes should not focus exclusively on producer countries and their immediate neighbours, but be expanded to include other States in the same region, for example by extending the UNDCP subregional strategy for South-East Asia to cover States members of the Association of South-East Asian Nations (ASEAN). Several representatives called for greater involvement of UNDCP in Africa, which had become increasingly vulnerable to drug abuse and illicit trafficking.

15. UNDCP was urged to maintain an active interest in the Pacific region, in view of the vulnerability of the Pacific island States, and to reflect in its financial reports the extent of funding allocated to the Pacific as a separate region. It was suggested that the financial reports might also reflect funding allocated to South-East and South-West Asia as two separate regional entities.

16. UNDCP was invited to continue to exploit the benefits of economies of scale through the subregional and regional approach. It was commended for its focus on regional and subregional projects, as exemplified in the provision of technical assistance for improving the control of precursors in South-East and South-West Asia. One representative considered that UNDCP should develop a subregional approach for the States of the Commonwealth of Independent States. With regard to precursor control, the Board and UNDCP were urged to play a more important role in developing an effective system for the monitoring of precursors and in providing assistance to Governments.

17. Several representatives indicated that their Governments viewed alternative development as an essential element of a strategy characterized by a balanced approach, as pursued by UNDCP, particularly in Asia and Latin America. Programmes aimed at reducing illicit cultivation could obtain sustainable results if they were initiated, accompanied and secured by alternative development programmes. One representative indicated that his

Government considered the ultimate objective of such programmes to be the reduction and elimination of illicit crops. It was agreed that, in view of the limited and diminishing resources available for UNDCP to address a broad spectrum of drug control activities, and given the large investment required for alternative development programmes with multisectoral implications, UNDCP should be neither the main source of funding nor the implementing agency for such programmes. Such tasks should be left to development organizations that had at their disposal the necessary infrastructure and financial means. UNDCP should, however, continue to support alternative development objectives in regions affected by illicit cultivation of narcotic plants, by acting as an initiator, catalyst and coordinator, and by providing its long-standing experience gained in this field. The effectiveness of alternative development programmes could further be enhanced through higher counterpart contributions, which would heighten the identification of recipient Governments with such projects, and ensure their active participation in them.

18. While commending the progress made following the ACC meeting held in March 1995, several representatives called for closer coordination within the United Nations system, under the aegis of UNDCP, in drug control matters. The specialized agencies should be urged to include, in a more systematic manner, the drug dimension in their programmes and activities. While the increased collaboration between UNDCP and several agencies, programmes and funds of the United Nations, particularly the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the International Labour Organization (ILO), the Food and Agriculture Organization (FAO) of the United Nations, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO) were commended, it was regretted that a number of agencies did not give a high enough priority to drug control in their programmes.

19. The Executive Director was commended for his initiative in seeking to expand cooperation, at the country level, with other agencies of the system. Such an approach from the bottom up, beginning at the country level, should be pursued by UNDCP vis-à-vis other agencies, while at the same time strengthening ties at the policy level. Support was expressed for the further development of the System-Wide Action Plan by the Executive Director, from the bottom up. It was emphasized that UNDCP, with limited resources at its disposal, should seek to enhance its impact on the drug problem worldwide by playing a catalytic role, giving impetus and specific inputs to programmes and projects of other United Nations entities, notably the funding programmes of UNDP, UNICEF, the International Fund for Agricultural Development and the World Food Programme, as well as the international financial institutions.

20. The view was expressed that UNDCP should increasingly target its activities on areas in which it had a comparative advantage, especially those which did not fall under the purview of other United Nations programmes. UNDCP and the Crime Prevention and Criminal Justice Branch were requested to closely

coordinate their activities with a view to reducing costs and avoiding duplication of effort.

21. The Commission commended UNDCP for the development and implementation of a balanced approach, with demand and supply reduction programmes as part of a comprehensive strategy. Such an approach required UNDCP to address all the manifestations of the drugs problem, while at the same time setting different priorities from country to country and region to region.

22. It was agreed that demand reduction programmes must be designed for and implemented at the local, community and national levels, taking into account the cultural, social, political and economic conditions of each country. Each Government should accordingly design its own demand reduction plan and strategy providing for prevention, treatment, rehabilitation and social integration. Furthermore, the experience of several countries showed that demand reduction programmes should be guided by pragmatism, with illicit drugs and other harmful substances addressed in the same context and along parallel lines, in order to maximize the impact and efficiency of the programmes. UNDCP, on the basis of its global overview of demand reduction issues, should further assist Governments in analysing the dynamics of reducing demand for illicit drugs, and in planning, coordinating and carrying out demand reduction programmes at the national or regional levels. In view of the extent of abuse and the health risks involved, UNDCP was invited to pay more attention to programmes involving the reduction of demand for volatile substances. With reference to the plan of action adopted by the World Summit for Social Development held at Copenhagen from 6 to 12 March 1995, it was indicated that demand reduction programmes should be integrated with other initiatives addressing issues of a social nature, such as poverty, housing, unemployment and rural and urban development.

23. The Commission expressed its concern regarding the prospect of a reduction in the availability of funds during the biennium 1996-1997 compared with the budget for the biennium 1994-1995. While reiterating the continued support of their Governments for UNDCP, several representatives regretted that while the international community was asking UNDCP and, under its aegis, other agencies of the United Nations system, to undertake further activities in the field of drug control, fewer financial resources were being provided. In particular, a relatively small number of Governments currently accounted for the bulk of voluntary contributions to the Fund of the United Nations International Drug Control Programme.

24. Support was expressed for the recommendations of the Executive Director concerning alternative funding sources, as contained in his report on the implementation of General Assembly resolution 48/12. Reference was made to the significant contribution to the Fund of the Programme by a national non-governmental organization as an outcome of its anti-drug campaign. Regarding alternative mechanisms for funding, one representative proposed that the Secretary-General should, from time to time, issue special emergency appeals to

donors for voluntary contributions, with a view to consolidating the financial and technical requirements of the programmes and organizations concerned.

25. In view of the budgetary constraints facing UNDCP, the Executive Director was invited to optimize the use of available resources through internal savings at headquarters and in the field. In prioritizing activities, global projects, which covered a broad field of activities such as legal assistance, inter-agency cooperation, demand and supply reduction and scientific research, should be given priority over projects designed for specific countries.

26. UNDCP was also requested to undertake a systematic evaluation of activities undertaken, particularly where expenditures and outputs delivered could be quantified. With regard to its field activities, it was invited to continue to give greater consideration to bilateral and multilateral programmes, in order to ensure coherence and complementarity in the cooperation undertaken in particular countries or regions, as exemplified by its programme in Lebanon, where a project funded by the European Commission provided inputs to UNDCP programmes in that country.

27. Several representatives pointed to the growing tendency of their Governments to include a drug control component in their provision of technical assistance. At the multilateral level, it was indicated that combating the drug menace was becoming an important issue in relations between the States of western Europe and those of central and eastern Europe, as well as in other regions. The European Commission had decided to withdraw, partly or totally, for the period from 1995 to 1998, the commercial advantages accorded under the generalized system of preferences from beneficiary countries that did not exercise effective customs controls over the export of commodities or the transit of illicit drugs and precursors through their territory, or when such countries did not adhere to the provisions of international instruments relating to money-laundering. Under a recent initiative, imports of manufactured goods and of some agricultural commodities from the Andean countries into western Europe would not be subject to import duties. Such trade concessions would be withdrawn or maintained, on the basis of progress made by the beneficiary countries in countering the drug menace.

28. The Commission considered that the global situation with regard to drug abuse and illicit trafficking called for concerted action by Governments and closer harmonization of policies. Several representatives reiterated the strong position of their Governments against the legalization of the non-medical use of drugs.

29. With reference to the discussion on legalization in some countries, several representatives reiterated the objection of their Governments to any distinction being made between "soft" and "hard" drugs. The view was expressed that the hesitant policies of some Governments in western Europe in the field of

drug control had an encouraging, rather than a dissuasive, impact on the abuse of and illicit traffic in illicit drugs.

30. The Commission reiterated that it was important for all States to become parties to the international drug control treaties and to implement their provisions fully. It was observed, with regret, that several States members of the Commission were not parties to all the international drug control treaties. There was concern that some States most vulnerable to illicit traffic and abuse were not parties, in particular, to the 1988 Convention. Some States parties did not have the necessary legislation and infrastructure in place to meet their treaty obligations. In that regard, it was considered crucial for UNDCP to continue to provide legal advisory services to assist States in becoming parties to the treaties, and in fully implementing their provisions. The Board was urged to pay greater attention to making recommendations to parties to the treaties that were not complying with their treaty obligations. Should such States fail to implement the instruments in good faith, the Board should consider giving effect to the provisions of both the Single Convention on Narcotic drugs of 1961 3/ and the Convention on Psychotropic Substances of 1971, 4/ by which it could ultimately recommend to parties to those treaties to stop the export, import, or both, of particular substances from or to the country concerned.

31. The attention of the Commission was drawn to the Report of the International Narcotics Control Board for 1994, 5/ which indicated that some States that were among the major producers and exporters of psychotropic substances were not parties to the 1971 Convention. The view was expressed that such a situation reflected an imbalance, as countries that produced licit opiates were being requested to further tighten their control mechanisms.

32. UNDCP was commended for the note by the Secretariat on the economic and social consequences of drug abuse and illicit drug trafficking, which contained the first comprehensive survey of its kind submitted to the Commission. While the note by the Secretariat pointed to the difficulty of gathering reliable and comparable data, UNDCP had succeeded in evaluating a large number of indicators and information sources which had pointed to the damage done to society and the costs incurred as a result of drug abuse and illicit trafficking. The findings of UNDCP facilitated the identification of priorities for drug control activities. The study was considered to be particularly useful for Governments that had to address an emerging drug problem; the methodology used could assist them in assessing the cost and consequences of illicit trafficking and drug abuse. Individual countries were invited to carry out their own national studies on the economic and social consequences of the drug problem, and to submit their assessments to UNDCP. Several representatives considered that UNDCP should conduct further global or regional surveys on that question. One representative rejected and protested against the note by the Secretariat on the economic and social consequences of drug abuse and illicit drug trafficking, which he considered to be unbalanced and inconsistent, singling out his country in a manner which

depicted it as the source of drug-trafficking problems. It did not reflect the high economic and social cost to his country of drug trafficking and abuse, nor the high price that dedicated law enforcement personnel, particularly high-level magistrates, had paid for their efforts to combat the drug menace. He suggested that future studies should adopt a balanced approach.

33. Another representative welcomed the study contained in the note by the Secretariat as an unconventional and extremely useful precursor of future studies assessing the cost-effectiveness and consequences of different public policy interventions. The analysis provided in the study highlighted the great profitability of illicit drug trafficking and the resulting concentration of economic power which threatened the economic integrity of many developing countries. He referred to the vast criminogenic multiplier effects of the clandestine drug market. In his view, the lack of a significant impact by law enforcement on the drug-trafficking phenomenon only contributed to the profitability of such activities. He strongly supported the further development of UNDCP research in this area, and stated that his Government was prepared to actively cooperate in such an endeavour.

34. The representative of the Islamic Republic of Iran objected to the inclusion in the note by the Secretariat of a reference to his country as part of the Golden Crescent of countries involved in the illicit production of opiates. He indicated that his Government had eradicated all poppy cultivation, and that there was no illicit production in his country.

## Chapter III

## REDUCTION OF ILLICIT DEMAND FOR DRUGS

35. At its 1117th and 1118th meetings, on 20 March 1995, the Commission considered item 4 of its agenda entitled "Reduction of illicit demand for drugs". It had before it a note by the Secretariat on basic principles of demand reduction (E/CN.7/1995/4), a report of the Secretariat on the world situation with respect to drug abuse (E/CN.7/1995/5), and a report of the Secretariat on alternatives to conviction or punishment (E/CN.7/1995/6).

36. A representative of UNDCP, in introducing agenda item 4, highlighted the activities of UNDCP in the field of demand reduction in the previous year. He referred to the convening of five regional expert forums on demand reduction, which had brought together experts involved in implementing demand reduction policies, programmes and projects. Such forums had contributed to the increased knowledge of essential principles of demand reduction and ways and means of improving programming. Another important element was the undertaking of a series of rapid assessment studies, designed to evaluate the nature and patterns of drug abuse. The objective for UNDCP was to obtain qualitative and quantitative data on vulnerable target groups, with a view to understanding the nature and extent of the problem before initiating demand reduction programmes. The institutional framework was examined in order to ascertain whether it needed improvement. That was one of a number of areas where UNDCP and WHO were working in close cooperation; the two organizations were also working closely with one another in programmes for the prevention of the human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS), with intravenous drug abusers as their target groups.

37. Representatives informed the Commission of the drug demand reduction strategies, programmes and activities being implemented by their Governments. Those programmes were often based on comprehensive and mutually reinforcing activities focusing on primary, secondary and tertiary prevention.

38. UNDCP was commended for the substantive and well-researched documents, with clear policy guidelines, that had been prepared for consideration by the Commission. In particular reference was made to the note by the Secretariat on basic principles of demand reduction, which provided an essential reference for the development of demand reduction programmes. The Commission agreed that demand reduction, in view of its importance, should be considered at future sessions of the Commission. The view was expressed that demand reduction was too broad a topic to be considered as a single agenda item. The Commission was invited to examine, at its future sessions, particular aspects of demand reduction, such as primary prevention, treatment modalities, and regional cooperation on demand reduction, drawing on experience gained from the UNDCP expert regional forums.

39. Representatives expressed their satisfaction that UNDCP was giving increased attention to demand reduction, in recognition of the fact that it was an essential component of a comprehensive, well-balanced approach to combating illicit drugs. As part of that approach, strategies to reduce illicit drug supply and demand were to act as mutually reinforcing components. The success of measures to reduce demand was dependent on the concomitant success of measures to reduce supply.

40. Several representatives stated that the provisions of the international drug control treaties, the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control 6/ and the Global Programme of Action adopted by the General Assembly at its seventeenth special session, on 23 February 1970, 7/ provided an adequate basis for the implementation of demand reduction programmes at the national, regional and international levels. They did not see a need for a separate international convention on the subject. Support was expressed for the elaboration of an international declaration on the guiding principles on demand reduction, which Governments could usefully apply in their efforts to counter the illicit demand for drugs.

41. There was agreement that demand reduction programmes should be developed and implemented at the national and community levels, based on social, economic and cultural factors. UNDCP was requested to ensure that demand reduction was an integral part of national master plans elaborated with its assistance. Demand reduction programmes should be carefully assessed in terms of their relevance, significance and expected impact on the drug abuse situation. UNDCP and Governments were invited to pay more attention to the evaluation of such programmes in order to ensure that funds directed to those programmes and their projects provided maximum returns.

42. The view was expressed that demand reduction programmes should incorporate other psychoactive substances currently not under international control, such as volatile substances, inhalants, alcohol and tobacco. It was stated that the abuse of such substances, regardless of their legal status, had harmful effects on the individual and society. Some representatives suggested that UNDCP should adopt the same approach as several Governments, ILO, and WHO in developing programmes that included all substances of abuse. Several representatives considered that UNDCP should support such projects only if the abuse of illicit drugs was the main project component and if the target groups were children and young people.

43. Some representatives objected to the inclusion of alcohol consumption and tobacco-smoking in programmes implemented by UNDCP. The arguments in favour of such an inclusion were not considered to be convincing, given the significantly different legal status and potency levels in relation to addiction. UNDCP, with its limited resources, should maintain its focus on drug abuse, leaving the fight against the health damage caused by alcohol consumption and tobacco-smoking to Governments and other entities such as ILO and WHO. UNDCP was invited to

coordinate its programmes closely with ILO and WHO in that respect.

44. UNDCP, specialized agencies and non-governmental organizations were invited to assess strategies and programme elements contained in United Nations documents on drug abuse with a view to developing models that could be used in national master plans. UNDCP was requested to prepare and revise annually an inventory of United Nations publications and documents on drug abuse control for dissemination to Governments. It was also requested to publish an update of the Resource Book on Measures to Reduce Illicit Demand for Drugs 8/ and to include in it the basic principles of demand reduction.

45. Some representatives said that in their countries drug abuse was considered to be a consequence of socio-economic conditions, particularly lack of education, unemployment and poor housing. Consequently, there was a need to integrate demand reduction programmes in a wider public health and social development framework. That important interrelationship had not been appropriately reflected in the note by the Secretariat on basic principles of demand reduction.

46. There was agreement that primary prevention programmes had the most significant impact on reducing the number of drug abusers. Primary prevention was a crucial element in national drug control policies. It was emphasized that the main focus of UNDCP activities in demand reduction should be on prevention programmes targeting young people. It was stated that, as the design of primary prevention activities was closely linked to the historical, cultural and social background of each country, the scope of international cooperation was narrow, limited mostly to the exchange of information, experiences and guidelines that could be applied in individual countries.

47. Several representatives expressed their reservation regarding the use of the term "harm reduction". In their view, it had the connotation of tacit acceptance of drug abuse and was, in their countries, synonymous with legalization of the non-medical use of drugs. Other representatives said that in their countries that was not the case. UNDCP was invited to establish a definition of the term and a common understanding regarding its use. One representative noted that the definition should cover the concept of seeking to reduce to a minimum the social and public health risks associated with drug abuse.

48. According to several representatives, the term "harm reduction" should be reserved for special measures associated with tertiary prevention for hard-core drug abusers. The term should be used for measures to reduce the harmful effects of drug abuse on individuals, such as the spread of HIV/AIDS infection among intravenous drug abusers. Harm reduction programmes were not a substitute for treatment and rehabilitation; they were a supplement to treatment and rehabilitation, one aspect of an overall demand reduction strategy. Support was expressed for a similar position taken by the Board, which had been reflected in its report for 1993. 9/

49. Greater efforts should be made to persuade drug abusers to overcome their addiction. That was important, not only from a humanitarian point of view, but also from the point of view of prevention, as hard-core, chronic abusers were considered to be responsible for consuming the most drugs and for the induction of new drug abusers.

50. With regard to the report of the Secretariat on the world situation with respect to drug abuse, the Commission endorsed the critical role of community participation and involvement in conceptualizing, designing and implementing demand reduction programmes. The drug abuse problem could not be dealt with effectively unless the framework for action included the local community, which carried the brunt of the burden of drug abuse. It was also noted that the involvement of non-professionals, particularly members of voluntary organizations, friends and parents, played a major and often decisive role in the overall fight against illicit drugs.

51. Reference was made to the approaches set out in the report of the Secretariat which emphasized the importance of resource-sharing and partnerships involving the police, health, education services, other government agencies and voluntary organizations. UNDCP was invited to undertake pilot projects aimed at strengthening the role of local communities in the field of demand reduction and to share, through the Commission, the knowledge gained from those pilot projects.

52. The role of non-governmental organizations in the field of demand reduction was emphasized. It was noted that the NGO World Forum on Drug Demand Reduction had highlighted the dynamic role that non-governmental organizations could play in reducing illicit drug demand and in promoting action at the community level. The view was expressed that UNDCP should strengthen its partnership with non-governmental organizations in the field of demand reduction.

53. The Secretariat was commended for its report on alternatives to conviction or punishment. In the view of some representatives, alternative measures should not be a substitute for conviction or punishment. Some representatives also considered that the issue could have been treated in a broader perspective, emphasizing the preventive role of police work. In many instances police work had been redirected to ensure closer cooperation between law enforcement authorities and persons working in social and other services dealing with the drug issue, particularly by building networks to prevent drug abuse and related crime in local communities, with emphasis on young people. A partnership between law enforcement, health, social services and the community was a prerequisite to the successful implementation of demand reduction programmes. UNDCP was invited to solicit from Governments examples of programmes being implemented at the national level related to the issue of alternatives to arrest and imprisonment for drug-related offences, to be disseminated to the Commission at its thirty-ninth session.

54. At its 1122nd meeting, on 23 March 1995, the Commission approved for adoption by the Economic and Social Council a revised draft resolution entitled "Integration of demand reduction initiatives into a cohesive strategy to combat drug abuse" (E/CN.7/1995/L.19/Rev.1), sponsored by Argentina, Australia, Austria, Bahamas, Bolivia, Brazil, Bulgaria, Canada, Chile, Colombia, Côte d'Ivoire, Czech Republic, Denmark, Egypt, Ethiopia, France, Finland, Gabon, Germany, Ghana, Guinea, Hungary, India, Indonesia, Madagascar, Mexico, Netherlands, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Republic of Korea, Romania, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Zambia, and a draft resolution entitled "Enhanced regional co-operation to reduce the risks of drug abuse" (E/CN.7/1995/L.22), sponsored by Australia, Bahamas, Brunei Darussalam, Canada, China, Colombia, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Ecuador, Egypt, Finland, France, Gabon, Germany, Greece, Guinea, India, Indonesia, Iran (Islamic Republic of), Japan, Jordan, Madagascar, Malaysia, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Philippines, Poland, Republic of Korea, Russian Federation, Saudi Arabia, South Africa, Spain, Sri Lanka, Thailand, Tunisia, Turkey, United Arab Emirates, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen and Zambia. For the texts, see chapter I, section A, draft resolutions I and II.

55. At the same meeting, the Commission adopted a revised draft resolution entitled "Prohibition of the use of heroin" (E/CN.7/1995/L.2/Rev.1), sponsored by Angola, Colombia, Côte d'Ivoire, Egypt, Germany, Iran (Islamic Republic of), Jordan, Norway, Romania, Russian Federation, Slovenia, Thailand, Turkey and Ukraine, draft resolutions entitled "Promoting projects and programmes that use involvement in sports as an effective measure to prevent drug abuse" (E/CN.7/1995/L.4), sponsored by Argentina, Austria, Belgium, Bolivia, Brazil, Colombia, Côte d'Ivoire, Ecuador, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, India, Iran (Islamic Republic of), Italy, Madagascar, Nigeria, Norway, Paraguay, Peru, Poland, Republic of Korea, Romania, Russian Federation, Spain, Sri Lanka, Switzerland, Thailand, Tunisia, United Kingdom of Great Britain and Northern Ireland and Zambia, and "Women and drug abuse" (E/CN.7/1995/L.5), sponsored by Austria, China, Côte d'Ivoire, Denmark, Egypt, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Hungary, India, Indonesia, Italy, Jordan, Lebanon, Madagascar, Morocco, Nicaragua, Norway, Pakistan, Peru, Philippines, Poland, Romania, South Africa, Syrian Arab Republic, Sri Lanka, Sweden, Switzerland, Thailand, Tunisia, Turkey and United States of America, and a revised draft resolution entitled "Reducing demand for narcotic drugs and psychotropic substances" (E/CN.7/1995/L.23/Rev.1), sponsored by Côte d'Ivoire, Egypt, Iran (Islamic Republic of), Jordan, Kuwait, Lebanon, Morocco, Russian Federation, Saudi Arabia, Sri Lanka, Syrian Arab Republic, United Arab Emirates, Yemen and Zambia. For the texts, see chapter XII, section A, resolutions 1(XXXVIII), 2 (XXXVIII), 3 (XXXVIII) and 4 (XXXVIII).

# Chapter IV

# ILLICIT DRUG TRAFFIC AND SUPPLY, INCLUDING REPORTS FROM SUBSIDIARY BODIES AND EVALUATION OF THEIR ACTIVITIES

56. For the consideration of item 5 of its agenda the Commission had for its consideration a report of the Secretariat on illicit drug trafficking (E/CN.7/1995/7), a note by the Secretariat on strategies for supply reduction (E/CN.7/1995/8), reports of subsidiary bodies (E/CN.7/1995/9) and a note by the Secretariat on the evaluation of the functioning of the subsidiary bodies of the Commission (E/CN.7/1995/10).

## A. Strategies for supply reduction

57. The Committee of the Whole examined the strategies outlined in the note by the Secretariat on strategies for supply reduction. The attention of the Committee was drawn to the need to identify those thematic areas which could yield the best sustainable benefits and optimize the use of available resources, to assess the impacts of specific kinds of supply reduction strategies, and to explore the development of practical mechanisms through which either existing strategies could be improved or new approaches implemented.

58. The Committee of the Whole commended UNDCP for the note by the Secretariat which identified strategies to be pursued in the field of supply reduction, with particular emphasis on alternative development strategies. Some representatives identified other complementary strategies, including the targeting of precursors and their linkages with illicit trafficking, legal and penal approaches, and measures to target proceeds derived from illicit trafficking. It was indicated that the supply reduction strategy should avoid conceptual conflicts such as putting the reduction of illicit trafficking on the same footing with the reduction of supply, which often led erroneously to identifying the farmer as a trafficker or an offender. It was agreed that economic development was a precondition or a prerequisite for supply reduction strategies, which should address, in a comprehensive package, the social and economic causes of illicit trafficking and supply affecting a specific region.

59. While supporting the supply reduction strategies elaborated in the note by the Secretariat, some representatives emphasized that UNDCP should not be the main funding or implementing agency of alternative development programmes. UNDCP, with its limited resources, should provide seed money and act as an initiator and catalyst through pilot projects, bringing to bear all its accumulated experience and knowledge of the dynamics of supply reduction. UNDCP was invited to give particular attention to institution-building in targeted regions.

60. Some representatives considered that UNDCP should undertake more analysis and evaluation of the impact of crop substitution programmes with a view to sharing its experience in that field with countries interested in such programmes. Other representatives considered that scientific approaches, such as signature analysis to identify sources of supply and routes, should be more frequently applied in supply reduction programmes, and that the results of applying such approaches should be exchanged through UNDCP.

61. Some representatives considered that, in a spirit of burden-sharing, countries in which alternative development programmes were being implemented should be called upon to bear a greater share of the funding of such programmes. UNDCP was requested to take into account law enforcement requirements in its alternative development programmes, and to focus its activities on areas where bilateral agreements were not effective and where it had advantages as an honest broker, as exemplified by its subregional strategy in producer countries of South-East and South-West Asia. It should also continue to give a high priority to such programmes.

62. UNDCP was commended for prioritizing its operations and activities in the field of supply reduction, and especially for having included social development as an essential component in such programmes. One representative pointed to the significant share of the budget of her country that was allocating to alternative development programmes targeting small farmers. Noting the commitment of her Government to the implementation of such programmes as a long-term objective linked to the elimination of illicit supply, she regretted that the international community was not attributing a high priority to such objectives, preferring instead to invest in short-term programmes targeting interdiction or eradication.

63. One representative considered that the note by the Secretariat on strategies for supply reduction would have been more useful if it had taken a more forward-looking perspective on such strategies, at a time when new thinking was called for. Alternative development was, in his view, only the starting-point of a future-oriented examination of possible approaches.

64. At its 1122nd meeting, on 23 March 1995, the Commission adopted revised draft resolutions entitled "Strategies for illicit supply reduction" (E/CN.7/1995/L.6/Rev.1), sponsored by Argentina, Bolivia, Chile, Colombia, Côte d'Ivoire, Ecuador, Ethiopia, Gabon, Germany, Guinea, India, Italy, Madagascar, Netherlands, Nicaragua, Nigeria, Panama, Paraguay, Peru, Philippines, Sri Lanka, Thailand, Uruguay and Venezuela, and "Encouraging the reporting of suspicious or unusual transactions to a national organization in each State, and the development of effective communication among competent authorities to facilitate the investigation and prosecution of money-laundering activities" (E/CN.7/1995/L.17/Rev.1), sponsored by Australia, Chile, Colombia, France, Greece, Italy, Panama, Thailand, United Kingdom of Great Britain and Northern Ireland and United States of America. For the texts, see chapter XII, section A, resolutions 5 (XXXVIII) and 6 (XXXVIII).

## B. Illicit drug trafficking

65. The Commission was informed of the achievements of several Governments in countering illicit drug trafficking at the national level, as reflected in increasing drug seizures, arrests and convictions of drug traffickers. New initiatives, particularly those targeting money-laundering activities, had yielded positive results, notably the confiscation of assets derived from illicit drug trafficking. In several countries, increased coordination between law enforcement agencies and the use of new drug law enforcement techniques, such as controlled delivery and undercover agents, had led to the dismantling of important trafficking syndicates and the arrest of major organizers. At the regional level, several initiatives had resulted in closer cross-border coordination and cooperation between countries in strategic regions.

66. The Commission was informed of the main illicit drug trafficking trends at the national, regional and international levels. Several representatives referred to the new challenges facing their Governments. Unprecedented political, economic and social changes taking place in many parts of the world had had, in many instances, an adverse impact on drug abuse and trafficking trends, providing new opportunities for traffickers to expand their operations. Illicit drug-trafficking operations had become more organized, with drug-trafficking organizations demonstrating an unprecedented degree of sophistication in moving and distributing bulk quantities of illicit drugs and their precursors, and in laundering and investing the proceeds derived therefrom. The huge profits generated had provided sufficient financial reserves to absorb losses of large consignments as a result of effective law enforcement action. They also gave traffickers the power to corrupt and influence government officials, particularly those in the armed forces and the police, as well as to threaten the judiciary. In several countries, particularly those affected by rapid socio-economic and political change or facing difficult economic conditions, traffickers had intensified their efforts to exploit institutional vulnerabilities and political instability, establishing new smuggling routes and undermining the sovereign authority of Governments. A characteristic of the drug-trafficking trends was the emergence of new routes that changed constantly as traffickers sought to evade law enforcement initiatives. Inadequate legislation and limited law enforcement capabilities further undermined the effectiveness of Governments to respond to the challenge. The need for Governments to take more vigorous action against the criminal syndicates that organized drug trafficking along the lines of a transnational corporation was emphasized.

67. Several representatives expressed concern about the increased illicit traffic in and abuse of psychotropic substances. Abuse of stimulants had increased, particularly in East and West Africa, North America, South-East Asia and Europe. Reference was made to the report of the International Narcotics Control Board for 1994 on the implementation of article 12 of the United Nations Convention against Illicit Traffic in

Narcotic Drugs and Psychotropic Substances of 1988, 10/ which indicated an increase in the number of cases of illicit traffic in ephedrine, an important precursor for the manufacture of methamphetamine. The proposal that the Board should establish a working mechanism to promote measures for the control of such precursors was supported.

68. Illicit production of opiates during 1994, particularly in South-East and South-West Asia, was estimated to have doubled since 1986, with Myanmar and Afghanistan as the two major producers. Opium production had increased significantly in those countries, and representatives of neighbouring countries reported record seizures of opium, morphine and heroin. Moreover, the worldwide increase in the traffic in and abuse of heroin was affecting transit countries, such as India, China and parts of Africa, consumer countries, such as those in Western Europe, as well as the producer countries themselves. It was indicated that the scale and patterns of illicit traffic in and abuse of heroin were affecting all countries of the world, blurring, as a result, the traditional categorization of States as producer, transit and consumer countries. Several representatives indicated that hard-core drug abusers in their countries continued to stimulate demand for and traffic in illicit drugs, particularly heroin.

69. Several representatives indicated that the illicit cultivation of the opium poppy, particularly in Afghanistan and Myanmar, required the continued urgent attention of UNDCP. It was noted that action taken in Thailand over the past years, with international assistance and the strong commitment of the Government, had led to a significant reduction in illicit cultivation of the opium poppy and in the production and trafficking of heroin in that country. The Commission was informed of measures taken by some Governments to control the licit cultivation of the opium poppy and the production of opiates for the licit market.

70. The Commission was also informed of measures taken by several Governments to counter the illicit traffic in cocaine. Some representatives indicated that their Governments were allocating a large share of their national budget to combat the illicit cultivation of the coca bush through alternative development programmes, including measures to counter subsequent illicit drug-trafficking operations. They considered that their countries were suffering significantly and directly from the effects of illicit drug trafficking and illicit production, stimulated by the growing illicit demand for cocaine in developed countries. Countries affected by illicit cultivation and farmers in remote regions where illicit production occurred should not be made responsible for increased drug abuse taking place in developed countries. Many representatives considered that programmes targeting illicit drugs, including measures to address illicit cultivation, production and distribution, should be undertaken in a spirit of collective responsibility and cooperation based on mutual trust.

71. The dominant trend in the illicit traffic in cocaine was the expansion of such traffic in Europe, where 29 countries had

made significant seizures in 1994. A disturbing element was the expansion of cocaine trafficking in South-East Asia, as reflected in the frequent seizure of varying quantities of cocaine in the Philippines during 1994. Such trafficking had been facilitated by increased sophistication in the modes of concealment and transport which made detection difficult.

72. Reference was made to the growing links between illicit drug-trafficking activities, terrorist organizations and other organized criminal groups. It was pointed out that measures to combat the organizers of drug-trafficking operations should include measures targeting terrorist organizations and other organized criminal networks. In that connection, it was noted that the Pan-European Ministerial Conference on Cooperation on Drug Abuse Problems, held at Oslo in May 1991, in its final act, called on all States to combat all forms of illicit drug trafficking, as well as the individuals, terrorist groups and criminal organizations involved in such activities. Similarly, it was recalled that the Third Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Europe, had recommended that States should take steps to forestall the establishment of criminal organizations in their territories.

73. The Commission was informed of initiatives taken at the bilateral and regional level through formal agreements and arrangements to increase cooperation against illicit trafficking. Closer mechanisms for regional cooperation in the field of drug law enforcement, such as those offered by EUROPOL in the context of the Treaty of Maastricht, had been established. Such mechanisms had contributed to the increased efficiency of drug law enforcement agencies in targeting drug-trafficking organizations. Joint and close bilateral cooperation, such as that between the United States and the Bahamas, had led to increased seizures of illicit drugs and a significant drop in drug-trafficking activities. With regard to countermeasures to address illicit trafficking, reference was made to specific recommendations adopted by HONLEA meetings to counter such operations.

74. UNDCP was commended for acting as a catalyst for cross-border cooperation targeting illicit drug trafficking operations through its subregional strategy in sensitive regions affected by illicit production. It was indicated that the image of UNDCP as an honest broker could contribute to strengthening cooperation in drug law enforcement in regions where drug-related problems were intertwined with geopolitical sensitivities.

75. The Commission was informed of the progress made jointly by UNDCP, the International Criminal Police Organization (ICPO/Interpol) and the World Customs Organization in pooling, standardizing and exchanging their available data relating to illicit drug trafficking. That had improved the quality of information available to UNDCP and the two organizations specified.

76. At its 1122nd meeting, on 23 March 1995, the Commission approved for adoption by the Economic and Social Council a draft

resolution entitled "Promoting the use of memoranda of understanding to facilitate cooperation between customs authorities and other competent administrations and the international trading community, including commercial carriers" (E/CN.7/1995/L.15), sponsored by Australia, Austria, Canada, China, Denmark, France, Germany, Greece, Hungary, Indonesia, Japan, Lebanon, Madagascar, Malaysia, Morocco, Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, South Africa, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America. For the text, see chapter I, section A, draft resolution III.

### C. Reports from subsidiary bodies and evaluation of their activities

77. For the consideration of the functioning of the subsidiary bodies, the Committee of the Whole had before it the note by the Secretariat on the evaluation of the functioning of the subsidiary bodies of the Commission.

78. There was agreement that the meetings of subsidiary bodies provided an important forum for drug law enforcement agencies to exchange experiences and explore further avenues of cooperation in countering illicit drug traffic operations at the regional level. The meetings furthermore offered an opportunity to expose law enforcement agencies to new procedures and techniques, such as controlled delivery. They could be further exploited as a venue for drug law enforcement training.

79. Several suggestions were made to improve the organization and substantive content of future meetings, with a view to optimizing the use of resources and the opportunity which the meetings provided. It was considered essential for Governments to ensure that their delegations were led by the heads of the national drug law enforcement agencies in order to ensure effective professional exchanges between the participants. Political considerations, which diluted the value of such meetings, should be avoided. During the course of the meetings, preference should be given to the consideration of one or two main issues impeding cooperation between law enforcement agencies, with particular emphasis on cross-border cooperation. Broad policy issues should not be considered. Written reports on trends in illicit trafficking at the national level should be circulated, with the meeting being informed only of new and important trends having an impact on cooperation, or of new developments that drug law enforcement agencies from a specific region should be made aware of.

80. One representative expressed the desire of his Government for the meetings of the subsidiary bodies to be convened every two years with the exception of HONLEA, Europe, which the Economic and Social Council had decided should be convened every three years. Representatives from the other regions considered that the current frequency of meetings should be retained.

81. Greater emphasis should be placed on the implementation of the recommendations adopted by Governments at the HONLEA meetings. It was indicated that such recommendations should be practical in nature and not address policy issues beyond the purview of law enforcement agencies. It was suggested that the Commission should examine how it wished to provide a follow-up to the recommendations adopted by the subsidiary bodies.

82. The regional meetings should focus on issues that were relevant to the respective regions. In that regard, UNDCP, particularly its field offices, should undertake more forward planning and exchanges with national law enforcement agencies.

83. With reference to HONLEA, Europe, which was currently being held every three years, one representative expressed the view of his Government that the Secretary-General of ICPO/Interpol and the Executive Director of UNDCP should consider how the scheduling of drug law enforcement meetings could be coordinated in order to avoid having two meetings during years when the meeting of HONLEA, Europe, was held.

## Chapter V

# IMPLEMENTATION OF THE INTERNATIONAL DRUG CONTROL TREATIES

## A. Changes in the scope of control of substances

84. At its 1121st meeting, on 22 March 1995, the Commission considered agenda item 6 (a), entitled "Implementation of the international drug control treaties: changes in the scope of control of substances". It had before it for consideration a report of the Executive Director on changes in the scope of control of substances (E/CN.7/1995/11 and Add.1), to which were annexed notifications from the Government of the United States of America and from the Director-General of WHO relating to the possible scheduling of six substances, aminorex, brotizolam, etryptamine, mesocarb, methcathinone and zipeprol, and the possible rescheduling of one substance, flunitrazepam, under the provisions of the 1971 Convention.

85. The Commission had before it a notification from the Director-General of WHO recommending the inclusion of etryptamine and methcathinone in Schedule I, zipeprol in Schedule II and aminorex, brotizolam and mesocarb in Schedule IV, as well as the transfer of flunitrazepam from Schedule IV to Schedule III, of the 1971 Convention.

86. The observer for WHO made a statement on the notifications before the Commission. Several representatives expressed agreement with the proposal to place the six substances under international control. Some representatives indicated that aminorex, brotizolam, flunitrazepam, methcathinone and ziprepol were under national control. One representative reported diversion of zipeprol in her country. The representative of Spain, supported by the representatives of Poland and the United States, indicated that stricter measures should apply to aminorex, and proposed that under the provisions of article 2, paragraph 5, of the 1971 Convention, that substance be included in Schedule II, and not in Schedule IV as recommended by WHO. The Commission was called upon to vote on the proposal to place aminorex in Schedule II of the 1971 Convention. The results of the vote were as follows: 20 votes in favour, three against and five abstentions. Since the two-thirds majority of 36 affirmative votes required for decisions under article 17, paragraph 2, of the 1971 Convention, was not reached, the motion was not carried.

### 1. Recommendation for including etryptamine and methcathinone in Schedule I of the 1971 Convention

87. The Commission considered the recommendation of WHO to add etryptamine and methcathinone to Schedule I of the 1971 Convention. It took note of the provisions of article 17,

paragraph 2, of the 1971 Convention referred to in paragraph 86 above.

88. The Commission decided to add the following substances to Schedule I of the 1971 Convention: etryptamine (by 44 votes to none, with no abstentions); and methcathinone (by 44 votes to none, with no abstentions). For the text of the decision drafted by the Secretariat at the request of the Commission to reflect the results of the voting, see chapter XII, section B, decision 1 (XXXVIII).

### 2. Recommendation for including zipeprol in Schedule II of the 1971 Convention

89. The Commission considered the recommendation of WHO to add zipeprol to Schedule II of the 1971 Convention. It took note of the provisions of article 17, paragraph 2, of the 1971 Convention referred to in paragraph 86 above.

90. The Commission decided to add zipeprol to Schedule II of the 1971 Convention by 43 votes to none, with no abstentions. For the text of the decision drafted by the Secretariat at the request of the Commission to reflect the results of the voting, see chapter XII, section B, decision 2 (XXXVIII).

### 3. Recommendation for including aminorex, brotizolam and mesocarb in Schedule IV of the 1971 Convention

91. The Commission considered the recommendation of WHO to add aminorex, brotizolam and mesocarb to schedule IV of the 1971 Convention. It took note of the provisions of article 17, paragraph 2, of the 1971 Convention referred to paragraph 86 above.

92. The Commission decided to add the following substances to Schedule IV of the 1971 Convention: aminorex (by 40 votes to none, with 1 abstention); brotizolam (by 45 to none, with no abstentions); and mesocarb (by 44 to none, with no abstentions). For the text of the decision drafted by the Secretariat at the request of the Commission to reflect the results of the voting, see chapter XII, section B, decision 3 (XXXVIII).

### 4. Recommendation to transfer flunitrazepam from Schedule IV to Schedule III of the 1971 Convention

93. The Commission considered the recommendation of WHO to transfer flunitrazepam from Schedule IV to Schedule III of the 1971 Convention. It took note of the provisions of article 17, paragraph 2, of the 1971 Convention referred to paragraph 86 above.

94. The Commission decided to transfer flunitrazepam from Schedule IV to Schedule III of the 1971 Convention by 42 votes to none, with no abstentions. For the text of the decision drafted by the Secretariat at the request of the Commission to reflect the results of the voting, see chapter XII, section B, decision 4 (XXXVIII).

95. The representative of the Russian Federation pointed out that his Government had already placed the above-mentioned substances under more stringent control than what was foreseen by the Commission.

## B. International Narcotics Control Board

96. At its 1115th and 1116th meetings, on 17 March 1995, the Commission considered agenda item 6 (b), entitled "Implementation of the international drug control treaties: International Narcotics Control Board". It had before it the Report of the International Narcotics Control Board for 1994 (E/INCB/1994/1), a supplement to the report on the effectiveness of the international drug control treaties (E/INCB/1994/1/Supp.1) and the report of the Board for 1994 on the implementation of article 12 of the 1988 Convention (E/INCB/1994/4).

### 1. Report of the International Narcotics Control Board for 1994

97. In introducing the report of the Board for 1994, the President of the Board emphasized the progress made by the international community in working together in the fight against drug abuse and illicit trafficking and in designing comprehensive drug control strategies. Those efforts had to be further enhanced in order to combat both the globalization of drug abuse and illicit trafficking and the ingenuity of organized crime cartels. It was important to define priorities carefully, since resources for drug control were scarce.

98. In addition to cooperating closely with the Executive Director of UNDCP in evaluating the effectiveness of national and international action to implement the international drug control instruments, pursuant to General Assembly resolution 48/12, the Board had conducted its own evaluation of the effectiveness of those instruments, since monitoring and evaluating treaty implementation was the very essence of its work.

99. The Board was of the opinion that new international conventions in the field of drug control were not necessary. More specific treaty provisions in the field of organized crime and money-laundering might, however, enhance international efforts and cooperation. While more binding treaty provisions on demand reduction might not be feasible, the Board had emphasized that demand reduction had to play a key role in drug control strategies. The Board had highlighted areas where

adapting the existing treaties, or enhancing their implementation, would render international drug control more efficient.

100. The key to efficient drug control was universal treaty adherence and implementation. The Board, in its report for 1994, had given examples where non-accession to the treaties and delays in adopting the required legislation and measures had led to an upsurge in drug abuse and illicit trafficking. Continuing abuse of and trafficking in benzodiazepines was a particularly striking example, and the Board had been in contact with a number of Governments on how to enhance controls of those substances.

101. The international drug control treaties called for genuine international cooperation. Governments throughout the world were making efforts, with the support of UNDCP, to strengthen their cooperation at the regional level. Close daily cooperation was needed among their administrations and with the Board, in combating drug abuse and illicit trafficking and in controlling the licit manufacture of and trade in drugs and precursors.

102. One of the key aspects of international cooperation was the continued affirmation by Governments of their common faith in the core principles of international and national drug control. Debates and movements related to the legalization of the non-medical use of drugs could cause considerable damage to the entire international drug control system. They had led authorities in some countries to question the need to mobilize resources to combat illicit cannabis cultivation. In other countries, legalization movements and illicit cultivation of cannabis with a high tetrahydrocannabinol (THC) content, though they were not encouraged, were also not discouraged.

103. In some countries, the will to actively combat drug abuse was being undermined by tendencies to accept drug abuse and to merely limit its harmful effects. Policies to assist drug abusers were essential; and harm reduction could be part of demand reduction, though it was not able to replace it. The Board had discussed the legislative status of non-medical use of drugs with Governments during a number of its missions in 1994. It had articulated its concern about projects, scientific or otherwise, involving the use of narcotic drugs for non-medical purposes, which had implications not only for the country concerned but also for other countries. The Board thought that representatives at the Commission on Narcotic Drugs should consider the issue of the distribution of heroin to drug addicts, which should not become part of a policy advocating the non-medical use of narcotic drugs, resulting in a policy shift towards legalization of the non-medical use of such drugs.

104. The President noted that amendments to the international drug control treaties and enhanced treaty implementation would increase the efficiency of international drug control.

105. The Commission commended the Board on its report for 1994, which provided a comprehensive picture of recent trends in

controls over the licit movement of narcotic drugs, psychotropic substances and precursors and in the illicit use of and trafficking in those substances. Representatives acknowledged that in their countries, the report had been the subject of widespread debate at the political level and in the media. Several Governments were pleased that the Board had recognized their continued efforts in combating drug abuse and illicit trafficking. Two representatives reported that missions of the Board to their countries had led to a fruitful debate with their Governments, and the recommendations of the Board were already being acted upon. One representative expressed his surprise that his country was the only one explicitly mentioned as an example of countries with non-existent or weak controls over exports of psychotropic substances. He provided information on the case concerned and stated that his Government would welcome a discussion of the issue with representatives of the Board. Representatives reaffirmed the commitment of their Governments to cooperating with each other and with the Board. A few representatives praised the speed and the efficiency of the Board's cooperation with their Governments, which had prevented the diversion of significant amounts of drugs and precursors into illicit channels. The Commission praised the Board for its work in preventing the diversion of drugs and precursors while ensuring their availability for licit purposes.

106. The Commission welcomed the evaluation by the Board of the effectiveness of the international drug control treaties. It noted that the recommendations made by the Board had been incorporated by the Executive Director in his report on the implementation of General Assembly resolution 48/12 (see chapter VII below).

107. The Commission reaffirmed its commitment to reject any form of legalization of the non-medical use of drugs. Debating the possibility of legalizing such drug use was sending the wrong message to producer countries. It was important for all Governments to clarify their positions on legalization. All representatives assured the Commission that their Governments were in no way contemplating legalization, a fact that, it was hoped, would comfort other Governments in their struggle against illicit drug supply. Though the growing power base of organized crime was an important factor in the struggle against drug abuse and illicit trafficking, it would be naive to expect that legalization would lead to the disappearance of organized crime. One representative regretted that, in a few countries, drug abuse was being tolerated or even promoted, attracting large flows of drugs for illicit use. Another representative urged States to consider that article 3 of the 1988 Convention clearly required parties to that Convention to establish as criminal offences under domestic law the possession or purchase of narcotic drugs or psychotropic substances contrary to the provisions of the international drug control treaties.

108. The Commission endorsed the view of the Board that international drug control could only be efficient if the treaties were universally adhered to and implemented at the national and international levels. Those conditions however were far from being achieved. One representative felt that a

global debate was called for, possibly at a new international conference on drug abuse and illicit trafficking. Another stated that there was an urgent need to deal, above all, with the issue of organized crime, as it was at the core of current drug-related problems. In his opinion, repressive measures would not prevail over the power of the illicit markets, and the international drug control conventions did not provide the requisite tools to achieve the central objective of limiting the use of drugs for non-medical purposes. It was necessary to go even further than the provisions of the 1988 Convention and to look for a new approach to the problem, one that would confirm the basic value of drug abuse control in protecting public health and welfare. To that end, his Government was reviewing its current drug abuse policy.

109. The Commission endorsed the appeal made by the Board to all States that had not yet done so to become parties to the international drug control treaties and to implement their provisions. That was of particular importance for members of the Commission. Treaty implementation was an important part of a global, comprehensive approach to combating drug abuse and illicit trafficking, problems that were also affected by many social, economic, cultural and political factors.

110. The Commission also endorsed the appeal made by the Board for enhanced implementation of the provisions of the 1988 Convention, in particular, its provisions on the seizure of assets (article 5), extradition (article 6) and cooperation against illicit traffic by sea (article 17). One representative stated that a more systematic approach to monitoring the implementation of the 1988 Convention was required. He and another representative stated that the Board had a specific role to play in that process.

111. Strategies to reduce illicit drug demand were an essential component in drug control strategies. Demand reduction was already a treaty obligation, and programmes in that field had to be designed at the national and local levels, based on knowledge of the actual drug abuse situation and of the cultural, political, economic and legal environment. A few representatives agreed that additional, specific and binding treaty provisions were not the best way to deal with demand reduction. One representative felt that amending the treaty provisions in the field of demand reduction could ensure a greater commitment by Governments to demand reduction strategies. Another felt that guidelines on demand reduction at the regional and subregional levels would be useful. Yet another warned that there should not be an imbalanced situation, whereby illicit trafficking and reduction of illicit drug supply would be dealt with as international issues, while reduction of illicit drug demand would be considered a purely national issue. The Commission noted that in some cases international support was needed for Governments willing to develop national demand reduction strategies. One representative stated that the report of the Board should have mentioned the usefulness of making activities to promote healthy behaviour an integral part of demand reduction programmes.

112. The Commission endorsed the Board's view that "harm reduction" policies were important, but could not be considered a substitute for demand reduction. One representative stated that harm reduction was one of the four pillars of the drug control strategy in his country, the others being therapy, prevention and repression. He stated that his country, which had been the first to implement methadone maintenance programmes and programmes for the exchange of syringes and needles, was conducting a scientific research project involving the distribution of heroin to "hard-core" heroin addicts. His Government was willing to discuss with other Governments the possible impact of the project, which was going to be evaluated by WHO. Another representative rejected the view that the distribution of heroin to addicts could have a positive result, stating that such an initiative could destroy the drug control system. He hoped that the Board would continue to monitor that development and that the Board or another appropriate entity would conduct for the Commission an evaluation of the distribution of methadone to cure addicts.

113. The Commission considered the Board's suggestions for possible future adjustments in the international drug control treaties. Two representatives considered that the nature of the problems posed by poppy straw and its misuse should be presented to the Commission in a detailed manner, with a view to determining the most appropriate measures. One of them stressed that poppy straw required different control measures than opium. Two representatives supported the need to draw attention to the appearance of cannabis varieties with a high THC content, possibly by amending the definitions in article 1 of the 1961 Convention.

114. As regards coca leaf, the Commission recognized the need, highlighted by the Board, to resolve existing contradictions between the provisions of the 1961 Convention and the legislation and situation in countries where the use of coca leaf was legal. Two representatives from countries where traditional use of coca leaf was permitted welcomed the fact that the Board had placed the issue on the agenda. The Board's only suggestion was that a scientific review should be conducted on mate de coca and coca chewing. The two representatives supported the need for such a study. One of them felt that the scope of the study should be expanded to include cultural and anthropological aspects of such use. He referred to the recommendation contained in paragraph 46 (c) of the Executive Director's report on the implementation of General Assembly resolution 48/12, on convening a group of experts to review the adequacy of existing definitions in the 1961 Convention and the 1971 Convention, with particular reference to various cannabis and coca leaf products. He stated that a working group would have to be set up to carry out such a multidimensional study, with the participation of technical experts, including some from the countries involved, UNDCP, WHO and the Board. The other representative stated that the actual situation in some countries of the Andean subregion demonstrated that it was impossible to eradicate traditional habits. The solution, he believed, was to modify the status of coca leaf in the 1961 Convention and to delete it from Schedule I of that Convention,

rather than modify other provisions. That did not mean that his country would lessen its efforts to control licit coca bush cultivation and to eradicate illicit coca bush cultivation. His country had taken into consideration the fact that coca leaf was the raw material for cocaine.

115. The Commission welcomed the concern of the Board for simplifying procedures where doing so did not affect the detection and/or prevention of diversion. It supported several of the technical amendments proposed by the Board.

116. The Commission expressed its support for making the simplified estimates system a treaty obligation for substances in Schedule II of the 1971 Convention and for making the import/export authorization system and the provision of details on the countries of origin of imports and destination of exports to the Board treaty obligations for substances in Schedule III and Schedule IV of that Convention. One representative felt that a mandatory simplified estimates system for substances in Schedule III and Schedule IV of the 1971 Convention would be a heavy administrative burden; however, other representatives supported that proposal. One representative suggested that estimates on the quantities that were to be imported in excess of domestic manufacture would be more useful than estimates of medical and scientific requirements. A few representatives supported the idea of harmonizing the scheduling procedure of the 1971 Convention with that of the 1961 Convention, though one representative stressed that more thought needed to be given to the idea. The procedure for exempting preparations containing psychotropic substances under the 1971 Convention was considered to be appropriate by one representative; however, he added that his Government would have no objection to amending that procedure if other Governments considered it necessary to do so.

117. A few representatives supported the proposed introduction of a simplified estimates system for synthetic narcotic drugs.

118. The Commission endorsed as correct and appropriate the Board's view that, under the exemption system of the international drug control conventions, the very small quantities of drugs contained in diagnostic kits should be exempt from the requirement for import and export authorizations for international trade. One representative proposed that, in order to assist in making suitable arrangements for such exemption, the UNDCP Laboratory should study the possibility of establishing limits for scheduled substances in the most frequently used diagnostic kits, below which those substances would be exempt.

119. The Commission endorsed the proposal that quarterly statistical reports on narcotic drugs be eliminated, leaving only the annual reports. To ensure the timely supply of drugs in emergency situations, the Commission endorsed the practice of limiting control obligations to authorities of exporting countries in such situations. Exporting countries would, however, ensure that delivery of exports was controlled by reliable and authorized personnel, and such shipments would be reported to the Board in a timely manner. One representative

who welcomed the Board's examining of the provision of narcotic drugs and psychotropic substances in the context of humanitarian assistance stated that the Board's assessment of compliance with treaty provisions was too optimistic.

120. Several representatives provided additional information on the situation with regard to drug abuse and illicit trafficking in their countries and on their Governments' drug control strategies to reduce illicit drug supply and demand. Some reported on progress made in treaty adherence and in the adoption of legislation and other measures to implement the treaties. A few representatives provided information supplementing or correcting statements made in the report of the Board. The Commission expressed concern at the continuing trafficking in and abuse of benzodiazepines and supported the Board's call for stricter controls over those substances. One representative informed the Commission that his country had successfully curtailed the abuse of benzodiazepines by taking measures against their overprescription.

121. In concluding, the President thanked Governments for their constructive statements and comments on the reports and work of the Board. Persisting loopholes, new trends in drug abuse, and the power of organized traffickers, continued to challenge the drug control system. The discussion revealed a high level of agreement on a large number of issues. The President believed that Governments would find comfort in the fact that there appeared to be strong consensus on a large number of crucial issues, including consensus that legalization of the non-medical use of drugs did not offer a solution to the drug problem.

122. At its 1122nd meeting, on 23 March 1995, the Commission approved for adoption by the Economic and Social Council a draft resolution entitled "Demand for and supply of opiates for medical and scientific needs" (E/CN.7/1995/L.7), sponsored by Belgium, France, Hungary, India, Indonesia, Madagascar, Romania, Russian Federation and Turkey. For the text, see chapter I, section A, draft resolution IV.

## 2. Report of the International Narcotics Control Board on the implementation of article 12 of the 1988 Convention

123. In introducing the report of the Board for 1994 on the implementation of article 12 of the 1988 Convention, the President of the Board stated that the introduction of control mechanisms by Governments, and close cooperation between Government authorities and with the Board, had made it possible to detect attempted diversions of precursors and, subsequently, to prevent the diversions and to arrest the traffickers involved.

124. The report on article 12 contained the details of a series of large-scale diversions and attempted diversions of ephedrine, a precursor in Table I of the 1988 Convention. Because of the seriousness of those cases, which concerned a quantity of ephedrine sufficient to manufacture about 1 billion street doses

of methamphetamine, the Board had contacted the competent authorities of the countries concerned as a matter of priority and had convened meetings of the responsible officials to take remedial measures. All the authorities had acted promptly. Arrangements and procedures had been established between the countries concerned to identify suspicious transactions in the future and to stop the shipments involved or, where circumstances warranted, to arrange controlled deliveries.

125. New cases were being uncovered and practically all regions in the world were being exploited as transshipment points for the diversion of ephedrine, including countries that had hitherto not been associated with the diversion of precursors. Traffickers had targeted other substances for diversion using identical methods.

126. The Board was assisting the competent authorities of the countries concerned, where necessary, in verifying the legitimacy of individual transactions. The President, reporting on attempts to divert precursors from international trade, called for universal application of controls to prevent diversion, especially from international trade. The key was to be able to trace all shipments in order to identify those that were suspicious. Substances were also being diverted at the manufacture and domestic distribution stages.

127. To prevent the diversion of precursors, the Board was making concrete proposals for further action that, in its view, represented the least that all Governments should do. Most of those proposals were presented in chapter IV of the report. The working mechanisms and operating procedures to monitor the licit movement of precursors that were proposed needed to be, and could be, established regardless of whether or not Governments had in place any comprehensive legislation for precursor control. Carefully established monitoring and control mechanisms would not adversely affect commercial interests.

128. Progress had been made, through workshops organized jointly by the Board and UNDCP, in establishing such mechanisms for precursor control at the national and regional levels in South-East Asia. Similar progress had to be made in other regions where efficient control of precursors could contribute meaningfully to the curbing of illicit drug manufacturing activities.

129. The Commission commended the Board for providing in its report a well-balanced and authoritative overview of the precursor situation worldwide. Several representatives of Governments supplemented the information presented in the report with details of recent illicit drug manufacturing trends and seizures of precursors.

130. The Commission expressed particular appreciation of the work of the Board in assisting Governments in implementing the provisions of article 12 of the 1988 Convention and of the progress made in establishing mechanisms to prevent the diversion of precursors into illicit channels. It supported the emphasis placed by the Board on monitoring and ensuring full

implementation of the 1988 Convention. A number of representatives reported that their Governments had ratified the 1988 Convention since the convening of the thirty-seventh session of the Commission; others expressed the hope that their Governments would soon be able to ratify it as well.

131. The Commission welcomed the fact that a number of Governments had put in place new or improved systems of control to regulate precursors, regardless of whether there had been evidence of illicit trafficking. Existing legislation had been strengthened and new laws had been established or were being drafted in a number of countries.

132. The Commission also welcomed the fact that the introduction of stricter controls had contributed significantly to the positive results achieved in preventing diversion and smuggling. However, noting the extent and size of the diversions that had been uncovered in the previous year and the fact that illicit drug-manufacturing activities were spreading and the illicit demand for precursors was likely to increase, the Commission endorsed the call by the Board for greater commitment by Governments to setting up stricter chemical controls to help to identify suspicious transactions. The Commission welcomed the Board's recommendations for action by Governments to prevent diversion, and strongly supported the outlined proposals.

133. The Commission acknowledged the work of the Board work in helping to detect for the first time major diversions of ephedrine, and praised the follow-up action taken by the Board to prevent further diversion of ephedrine. It welcomed the resulting tightening of controls on that substance. One representative noted that his Government had seriously underestimated the risk of diversion in his country.

134. As a further step towards strengthening controls, the Commission urged the Governments of importing countries to invoke article 12, paragraph 10 (a), of the 1988 Convention so that they would receive advance notice of exports to their countries of substances in Table I of that Convention. When properly implemented, the provisions of that article could play an important role in the prevention of diversion. In addition, one representative asked the Commission to consider the possible extension of those provisions to some substances Table II, particularly acetic anhydride, which was used in the illicit manufacture of heroin.

135. The Government of the Czech Republic was highly commended for its efforts to monitor and control precursors, including ephedrine, and for the action that it had taken in close cooperation with other Governments and with the Board, which had resulted in the identification of a large number of diversions and attempted diversions of ephedrine.

136. The Commission thanked the Board for establishing and maintaining excellent contact with Governments, as a result of which diverted shipments of precursors had been stopped. Such contact was essential if control efforts were to succeed. It was hoped that cooperation with the Board, and between

Governments, could be improved further by exchanging information on a regular basis, either through the Board, or directly between competent national authorities.

137. The Commission recognized in particular the contributions of the Board enhancing controls at the regional level. Special praise was given for its work in developing successful workshops, organized by UNDCP, on precursor control in South-East Asia. The Commission welcomed the announcement of a similar initiative in South and South-West Asia and proposals for similar projects elsewhere.

138. The representative of a country in Asia that was a major producer and exporter of chemicals spoke of his Government's concern that the country was reportedly a source of diverted chemicals. He stated that his Government had established strict controls over some precursors and that it was willing to cooperate with other Governments and with the Board in identifying suspicious transactions and preventing further diversions.

139. The Commission was informed by one representative that, in accordance with the 1988 Convention and the aim of apprehending drug traffickers, the technique of controlled delivery had been used more frequently in her country.

140. The Commission welcomed the proposal for a technical meeting, to be organized jointly by the Board and the Pompidou Group of the Council of Europe, to review the activities of brokers handling precursors and psychotropic substances, whereby such substances were often diverted into illicit channels.

141. The President of the Board thanked Governments for their excellent work in controlling the licit movement of precursors. He urged those Governments that had not already done so to ratify the 1988 Convention as a matter of priority and to implement vigorously its provisions. He also urged all Governments to examine closely the recommendations contained in the report of the Board for 1994 on the implementation of article 12 of the 1988 Convention, and to take the action outlined in that report.

142. At its 1122nd meeting, on 23 March 1995, the Commission approved for adoption by the Economic and Social Council a draft resolution entitled "Measures to strengthen international cooperation to prevent diversion of substances listed in Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and used in the illicit manufacture of stimulants and other psychotropic substances" (E/CN.7/1995/L.9/Rev.1), sponsored by Argentina, Australia, Belarus, Bulgaria, Colombia, Côte d'Ivoire, Czech Republic, Egypt, France, Gabon, Germany, Ghana, Greece, Guinea, Hungary, Japan, Madagascar, Mexico, Nigeria, Poland, Republic of Korea, Sri Lanka, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America. For the text, see chapter I, section A, draft resolution V.

## C. Other matters arising under the international drug control conventions

143. At its 1119th meeting, on 21 March 1995, the Commission considered agenda item 6 (c) entitled "Implementation of the international drug control treaties: other matters arising from the international drug control treaties". The Commission had before it a note by the Secretariat on the adequacy of existing national legislation (E/CN.7/1995/12) and the report of the Working Group on Maritime Cooperation (E/CN.7/1995/13).

### 1. Adequacy of existing national legislation

144. A representative of the Secretariat reviewed the legislative activities covered in the note by the Secretariat on the adequacy of existing national drug control legislation and described the legal advisory services provided by UNDCP. One representative requested advisory assistance in view of the serious drug-trafficking problems in his country.

145. At its 1122nd meeting, on 23 March 1995, the Commission adopted a draft resolution entitled "Adherence of States to the international drug control conventions" (E/CN.7/1995/L.10), sponsored by Argentina, Belarus, Croatia, Denmark, Ethiopia, Finland, France, Gabon, Germany, Greece, Hungary, Norway, Poland, Portugal, Russian Federation, Sweden, Ukraine, Uruguay, United Kingdom of Great Britain and Northern Ireland and United States of America. For the text, see chapter XII, section A, resolution 7 (XXXVIII).

146. The representative of Turkey expressed the reservations of her Government concerning the use of the term "successor States" in resolution 7 (XXXVIII) without reference to their acceptance by the United Nations or their status in international law.

### 2. Report of the Working Group on Maritime Cooperation

147. The Chairman of the Working Group on Maritime Cooperation, which met at Vienna from 19 to 23 September 1994 and from 20 to 24 February 1995, in introducing its report, recalled that it had been established pursuant to Commission resolution 9 (XXXVII) of 21 April 1994, and was mandated to develop a comprehensive set of principles and specific recommendations to enhance, on a global basis, the implementation of article 17 of the 1988 Convention. The report included the deliberations of the two sessions of the working group and the recommendations adopted, which also encompassed the principles required to enhance the implementation of article 17 of the 1988 Convention. The Working Group had worked in a spirit of consensus, taking into consideration the international law of the sea and article 17 of the 1988 Convention.

148. The representative of China informed the meeting that, in a spirit of cooperation, his Government was withdrawing its earlier reservation to recommendation 15 as indicated in paragraph 37 of the report of the Working Group.

149. The meeting agreed to amend recommendation 17, at the request of the representative of Spain, inserting the words "unless otherwise agreed" in front of the words "before receiving explicit authorization". In paragraph 22, the words "in waters beyond the territorial sea" would be replaced by the words "at sea".

150. The Committee of the Whole endorsed the recommendations emanating from the Working Group, as amended during the course of its deliberation. One representative indicated that his Government was initiating a resolution to further the implementation of article 17 of the 1988 Convention.

151. With reference to recommendation 23 of the report, which stated that commercial carriers, manning agencies, shipowners and port authorities should be associated in the fight against illicit drug traffic, the meeting urged Governments and authorities to ensure the safety and security of ports and cargo terminals.

152. At its 1122nd meeting, on 23 March 1995, the Commission adopted a revised draft resolution entitled "Endorsement of the report of the meeting of the Working Group on Maritime Cooperation" (E/CN.7/1995/L.18/Rev.1), sponsored by Argentina, Australia, Bahamas, Brazil, Bulgaria, Canada, Croatia, Egypt, France, Germany, Greece, Indonesia, Iran (Islamic Republic of), Italy, Japan, Madagascar, Mexico, Morocco, Netherlands, Norway, Panama, Poland, Republic of Korea, Romania, Russian Federation, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela. For the text, see chapter XII, section A, resolution 8 (XXXVIII).

153. Following the adoption of resolution 8 (XXXVIII), the representative of Spain stated that his Government did not wish to block a consensus or enter an express reservation on the recommendations adopted by the Working Group on Maritime Cooperation. It considered, however, that recommendation 21 limited compensation for damage caused to a vessel stopped groundlessly outside the territorial sea to cases of negligence or to other faults attributable to the intervening State, or to cases where the action was conducted in a manner unjustified under international law. In his view, the criterion of objective responsibility should have been accepted, or the relevant provisions of the United Nations Convention on the Law of the Sea of 1982 should have been followed, in order to establish the obligation of compensation in cases of unjustified stopping of a vessel in connection with the conservation of the marine environment or the exercise of hot pursuit. Stopping a vessel outside the territorial sea was a serious act, which should be resorted to in exceptional circumstances when there were well-founded grounds for believing that the vessel in question was engaged in illicit drug trafficking. The intervening State should compensate any vessel boarded

recklessly or unjustifiably for damage arising from the boarding incident, independently of the liability incurred by the intervening State in the particular circumstances of fault or negligence.

154. The representative of Colombia stated that his Government would interpret resolution 8 (XXXVIII) and the recommendations deriving from it in accordance with the reservations and declarations made by Colombia at the time of ratifying the 1988 Convention.

# Chapter VI

## MONITORING OF THE IMPLEMENTATION OF THE GLOBAL PROGRAMME OF ACTION AND OF THE UNITED NATIONS SYSTEM-WIDE ACTION PLAN ON DRUG ABUSE CONTROL

155. At its 1119th meeting on 21 March 1995, the Commission considered agenda item 7 of its agenda entitled "Monitoring of the implementation of the Global Programme of Action and the United Nations System-Wide Action Plan on Drug Abuse Control". It had before it a report of the Secretary-General on the Global Programme of Action (A/49/345), a report of the Secretariat on the United Nations System-Wide Action Plan and coordination of drug control activities in the United Nations system (E/CN.7/1995/15) and reports of the Executive Director on strengthening system-wide cooperation and coordination in drug control (E/CN.7/1995/15/Add.1 and Corr.1 and Add.2).

156. Introducing the item, a representative of the Secretariat informed the Commission that the questionnaire approved at its thirty-seventh session to assist the Secretary-General in preparing future reports on the implementation of the Global Programme of Action, had been sent out for the first time in February 1995, as scheduled. The information obtained would be reflected in the next report of the Secretary-General on the matter. He noted that a large number of Governments had provided information to the Commission on their own efforts in the field of drug abuse control, and that such efforts contributed significantly to the implementation of the Global Programme of Action.

157. The Executive Director reported on the outcome of the ACC meeting that was held at Vienna on 28 February 1995. ACC had reached a number of decisions intended to enhance cooperation and coordination within the United Nations system in matters relating to drug control. Those decisions included a commitment by United Nations bodies to identify areas where the issue of drug abuse control could be incorporated into the agendas of other agencies and organizations in their respective fields of competence. ACC also called for greater involvement of organizations such as the international financial institutions in activities aimed at drug abuse control. The importance of coordinated action at the country level was stressed, and the Resident Coordinators were called upon to organize local inter-agency groups dealing with drug abuse control, and to ensure that the issue was covered in country strategy notes. ACC also instructed its Subcommittee on Drug Control to render the System-Wide Action Plan more operational through the development of specific multi-agency sectoral and subsectoral plans of action.

158. The Commission expressed its satisfaction at the commitment of the United Nations system to drug abuse control, and looked forward to the implementation of the ACC decisions, which were considered to be in line with the conclusions of the 1994 coordination segment of the Council, and with Assembly

resolution 49/168 of 23 December 1994. A number of representatives concurred with the view expressed by the Executive Director that that would pose a challenge to all organizations concerned, underlining the importance of cooperation and coordination at the country level. Several representatives drew attention to the need for Governments of all Member States to provide the necessary political support to the ACC decisions in the governing bodies of other organizations. The Commission welcomed the steps being taken to strengthen the System-Wide Action Plan and to make it more forward-looking and action-oriented.

159. The report of the Executive Director on strengthening system-wide cooperation and coordination in drug control was prepared in response to Commission resolution 6 (XXXVII) of 20 April 1994, in part on the basis of the findings of a group of consultants which the resolution had authorized the Executive Director to engage in order to assist him in his analysis.

160. Several Governments noted the constructive suggestions made in the report of the Executive Director and in the report of the consultants themselves. Those suggestions could serve as the basis for concrete action by UNDCP and other entities within the United Nations system. The above-mentioned decisions of ACC and the envisaged strengthening of the System-Wide Action Plan provided examples of the type of actions required.

161. The Commission took note of the report of the Executive Director on strengthening system-wide cooperation and coordination in drug control, which contained information on the expanded cooperation between UNDCP and the Crime Prevention and Criminal Justice Branch. The report was supplemented by a statement by the representative of the Branch.

162. At its 1122nd meeting, on 23 March 1995, the Commission adopted a revised draft resolution entitled "Operational measures to ensure and strengthen cooperation between the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch of the Secretariat" (E/CN.7/1995/L.3/Rev.1), sponsored by Argentina, Austria, Belgium, Colombia, Egypt, Germany, Hungary, Italy, Pakistan, Poland and Tunisia, and draft resolutions entitled "Coordination and cooperation between the United Nations International Drug Control Programme and the Economic Cooperation Organization" (E/CN.7/1995/L.12), sponsored by Islamic Republic of Iran and Pakistan, "Improvements in the United Nations System-Wide Action Plan on Drug Abuse Control" (E/CN.7/1995/L.13), sponsored by Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Denmark, Finland, France, Gabon, Germany, Hungary, Lebanon, Madagascar, Mexico, Norway, Panama, Poland, Portugal, Spain, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay, and "Scientific and technical cooperation in the control of drug abuse and illicit trafficking" (E/CN.7/1995/L.14), sponsored by Algeria, Angola, Austria, Croatia, Egypt, Gabon, Guinea, India, Indonesia, Madagascar, Japan, Morocco, Netherlands, Nigeria, Romania, Thailand and Tunisia. For the texts, see chapter XII, section A, resolutions 9 (XXXVIII), 10 (XXXVIII), 11 (XXXVIII) and 12 (XXXVIII).

## Chapter VII

## IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 48/12

163. For the consideration of agenda item 9, the Commission had before it the report of the Executive Director on the implementation of General Assembly resolution 48/12 (E/CN.7/1995/14), section III of the reports of the subsidiary bodies (E/CN.7/1995/9) and a special supplement to the report of the Board for 1994 (E/INCB/1994/1/Supp.1).

164. In introducing the item, the Executive Director of UNDCP indicated that the Commission, in its resolution 3 (XXXVII), had requested him to prepare a report to guide its further deliberations on the implementation of resolution 48/12. The preparation of his report had been facilitated by the support of an ad hoc intergovernmental advisory group, which he had convened at the request of the Commission, and by the active cooperation of the Board. The report included a section on alternative funding mechanisms for the Fund of the Programme, as requested by the Commission, as well as a section on illicit drug-trafficking issues examined by subsidiary bodies of the Commission and relevant international conferences. The following six major themes were highlighted with a view to assisting the Commission in focusing its deliberations: evaluation of the drug control treaties and their effectiveness; monitoring the implementation of the 1988 Convention; approach to be adopted by UNDCP in alternative development; the need to create a global synergy to address demand reduction; the issue of demand reduction, particularly the question whether the commitment of Governments should be reinforced through a treaty or a formal declaration; and alternative funding mechanisms for UNDCP. While not a theme in itself, it was considered essential for the international community to maintain the momentum against drug abuse and illicit traffic, and, in that context, he referred to the recommendation of the ad hoc intergovernmental advisory group for the convening of a second international conference on drug abuse and illicit trafficking. Such an international conference would review progress made, and explore new strategies to further international cooperation in drug abuse control, as well as endorse a declaration on demand reduction.

165. Strong support was expressed for the report of the Executive Director, which addressed in a comprehensive manner the complex issues raised in resolution 48/12. In view of the programme budget implications of some of the recommendations, it was considered important for the Commission to give priority to those recommendations that would contribute most directly and successfully towards the goal of preventing drug abuse and illicit trafficking. It was indicated that the follow-up to General Assembly resolution 48/12 and the implementation and monitoring of the agreed recommendations would require additional capabilities in UNDCP, particularly in the field of information, research, analysis, planning and coordination. It was proposed that the Executive Director of UNDCP should

evaluate the need for strengthening such capabilities, with a view to further contributing to policy formulation in intergovernmental forums such as the General Assembly, the Council and the Commission and recommend to Member States ways and means of strengthening the capabilities of UNDCP in that regard.

166. Several representatives expressed support for convening a second international conference on drug abuse and illicit trafficking to examine progress made since the International Conference on Drug Abuse and Illicit Trafficking held at Vienna from 17 to 26 June 1987, to provide a forum for the elaboration and adoption of a declaration on demand reduction, and to set future goals. It was indicated that the Summit of the Americas, held at Miami, Florida, United States, on 11 December 1994, and attended by heads of Government and States of the western hemisphere, had agreed to convene a global "counter-narcotics" conference. Should that conference be convened, several representatives were of the opinion that it should include in its agenda the formulation of policy recommendations on stimulants and measures to further strengthen the control of precursors, as well as elaborating a declaration on demand reduction.

167. Other representatives expressed the reservations of their Governments concerning the convening of such a conference in 1997. The costs involved had to be carefully considered, bearing in mind the programme budget implications, likely outcomes and the possibility of achieving similar objectives in other forums, such as the 1996 high-level segment of the Council, which was to consider the problem of narcotic drugs and psychotropic substances.

168. The recommendation of the Executive Director concerning the drafting of a declaration instead of a convention on demand reduction was broadly supported. Such a declaration would set forth guiding principles to strengthen, at the national and international levels, the fight against illicit demand for drugs.

169. Support was expressed for the recommendation of the Executive Director that coordination at the country level should be increased under the leadership of the UNDP Resident Representatives. Some representatives felt that more delegation of authority and decision-making should be given to the UNDCP field offices. With regard to alternative development, it was indicated that the recommendations should be expanded to include the role of the international financial institutions and agencies involved in providing technical assistance.

170. Several representatives supported the recommendations related to demand reduction. With reference to the recommendations contained in paragraph 113 of the report, it was indicated that the stance taken in the international treaties regarding punishment for drug-related offences should be maintained. Education, treatment and rehabilitation programmes should not be considered as substitutes for punishment of violators of drug control laws and regulations that prohibited

illicit trafficking and drug abuse. It was considered important for each country to have in place an effective law enforcement system to deter the abuse of drugs as a complement to measures in the field of prevention. It was argued, however, that States should continue to explore the possibility of applying alternative measures to conviction and punishment for minor drug-related offences and exchange such information during sessions of the Commission. That was considered important at a time when certain States and communities were questioning the efficacy of the drug control treaties. Well-founded argument against drug abuse should be included in education campaigns in order to enhance public understanding of the adverse effects of drug abuse on health, as well as the socio-economic consequences of drug abuse and trafficking, including the increase in violent crime.

171. The recommendation to establish a mechanism to monitor the implementation of the 1988 Convention was supported by several representatives. Other representatives were of the view that it was premature to consider the establishment of such a mechanism, as the 1988 Convention had entered into force only on 11 November 1991, and a number of States, including members of the Commission, had not yet become parties thereto. It was suggested that ad hoc working groups could be established to examine the implementation of specific articles, as had been done with regard to article 17 of the 1988 Convention. In the view of some representatives, the Board could be considered as a possible mechanism to monitor the implementation of all the international drug control treaties. There was broad support for the inclusion of a review of the operation of the 1988 Convention as a regular item on the agenda of the Commission, and for entrusting HONLEA meetings with a specific role in monitoring the implementation of specific provisions of the 1988 Convention.

172. The recommendations concerning certain technical amendments to the 1961 Convention and the 1971 Convention, contained in both the report of the Executive Director and the report of the Board for 1994, were supported. Several representatives considered that the proposed amendment should be further examined by their Governments and the Board with a view to gauging their ramifications for drug control.

173. At its 1122nd meeting, on 23 March 1995, the Commission adopted a revised draft resolution entitled "Status of international cooperation against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances" (E/CN.7/1995/L.8/Rev.1), submitted by the Chairman. For the text, see chapter XII, section A, resolution 13 (XXXVIII).

## Chapter VIII

## ADMINISTRATIVE AND BUDGETARY MATTERS

174. At its 1st meeting, on 16 March 1995, the Committee of the Whole considered agenda item 8, entitled "Administrative and budgetary matters". It had before it the report of the Executive Director on the proposed revised budget for the biennium 1994-1995 and proposed outline for the biennium 1996-1997 for the Fund of the Programme (E/CN.7/1995/17), the compendium of ongoing projects (E/CN.7/1995/CRP.1), the report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) on the proposed revised budget for the biennium 1994-1995 and proposed outline for the biennium 1996-1997 for the Fund of the Programme (E/CN.7/1995/18) and the financial report and audited financial statements of the Fund of the Programme for the biennium 1992-1993 (A/49/5/Add.9). The Chairman of the Committee reported on the outcome of the informal consultations which had taken place on 15 February 1995 among the member States of the Commission to discuss the proposed outlined for the biennium 1996-1997 in accordance with Commission resolution 13 (XXXV) of 15 April 1992.

175. In introducing the item, a representative of UNDCP noted that the proposed revised budget for the biennium 1994-1995 of $190,641,600 reflected only variations in inflation and exchange rates and in standards assumed in the calculation of the proposed initial budget for the biennium 1994-1995. The propose outlined for the biennium 1996-1997 of $151,172,100 incorporated a resource decrease in real terms of 26.2 per cent. The decline was essentially the result of the depletion of the cash balance of UNDCP, realized in accordance with the previous request from the Commission to expend the resources as soon as possible. It was noted that the reduction could only be accomplished by making severe cuts in a number of activities implemented in all regions and sectors. Reference was made to the proposal to reduce global projects, mainly located at headquarters, by 66.8 per cent. Other proposals included the reduction of field operations by 10.9 per cent and preserving the infrastructure at headquarters at maintenance level. Despite the substantial decline in budgetary allocation, it was stressed that a balanced budget was proposed for the biennium 1994-1995 and 1996-1997, assuring an orderly implementation of programme activities. It was emphasized that the outline did not constitute a mini-budget, and that detailed proposals would be included in the forthcoming proposed initial programme budget for the biennium 1996-1997. As previously announced, the initial programme budget would be accompanied by a separate programme support budget for the biennium 1996-1997. It was stressed that additional contributions would be required to fund future increases in programme delivery, and that, as a minimum, 30 per cent of contributions should be unearmarked.

176. The representative of UNDCP noted that the audited financial statements of the Fund of the Programme for the biennium 1992-1993 were the first audited statements submitted

by the Executive Director to the Commission in accordance with General Assembly resolution 46/185. The financial records demonstrated that the biennium 1992-1993 was a period of transition with expenditures of $140.4 million exceeding income of $137.5 million by $2.9 million. It was noted that the Board of Auditors had put forward recommendations on the arrangements for receiving audited expenditure statements from executing agencies for simplification of the financial accounting arrangements and for enhancing the effectiveness of investment policy. The improvements implemented in response to the recommendations were outlined by the representative of UNDCP. Representatives of UNDCP replied to questions raised by a number of speakers on specific items in the revised budget for the biennium 1994-1995 and proposed outline for the biennium 1996-1997.

177. Many representatives commended UNDCP on the quality of the documentation submitted. The proposed outline for the biennium 1996-1997 was considered to be an appropriate basis for the Executive Director to submit the proposed initial programme budget for the biennium 1996-1997. Some representatives requested the Executive Director to elaborate in the forthcoming proposed initial programme budget for the biennium 1996-1997 the linkage between programme activities and the objectives proposed in the outline, the mandates of UNDCP as contained in the Global Programme of Action, the international drug control treaties and other relevant resolutions. In addition, UNDCP was encouraged to identify and elaborate in detail within the proposed programme budget for the biennium 1994-1995 the criteria applied by the Executive Director in the utilization of resources as well as indicators for the evaluation of expected results. Some representatives noted that the report of ACABQ appeared to reflect certain misunderstandings about the financial situation of UNDCP. The Committee seemed to perceive that UNDCP was facing a budgetary crisis that would require the introduction of ad hoc measures. The representatives noted, however, that a decline in the proposed outlined for the biennium 1996-1997 was expected. It reflected the successful effort of UNDCP to expend the accumulated cash balance during the previous two bienniums. That was done without expanding the permanent infrastructure of UNDCP and in line with the previous request of the Commission. Many representatives emphasized the need to increase the resources made available to the Fund of the Programme. It was suggested by some representatives that special fund-raising efforts, such as emergency appeals by the Secretary-General, should be launched. One representative called on UNDCP to examine the experience and identify the results of activities funded from the cash balance over the last two bienniums. Some representatives pointed to the need for UNDCP to levy sufficient programme support charges on special-purpose funds for financing the substantive and administrative backstopping activities. UNDCP was encouraged to strengthen its centre of competence at headquarters, and encouraged to continue the process of delegating authority for the management of technical cooperation to the field level.

178. At its 1122nd meeting, on 23 March 1995, the Commission adopted a draft resolution entitled "Revised budget for the

biennium 1994-1995 and outline for the biennium 1996-1997 for the Fund of the United Nations International Drug Control Programme" (E/CN.7/1995/L.20), submitted by the Chairman. For the text, see chapter XII, section A, resolution 14 (XXXVIII).

## Chapter IX

# PROVISIONAL AGENDA OF THE THIRTY-NINTH SESSION OF THE COMMISSION AND FUTURE WORK

179. At its 1119th and 1120th plenary sessions, on 21 March 1995, the Commission considered agenda item 10, entitled "Provisional agenda for the thirty-ninth session of the Commission and future work". It had before it a note by the Secretariat (E/CN.7/1995/16) containing a draft provisional agenda and information on additional organizational questions. Among the latter were issues relating to documentation prepared for the Commission and the possible consideration of national drug control plans by the Commission.

180. The Commission noted with interest the proposal of the Secretariat whereby the Commission would consider national drug control plans. The potential value of such an exercise was recognized, particularly as an additional means of monitoring implementation of the Global Programme of Action and as an opportunity for Governments to learn from each other's experience. Several Governments offered their own national plans as examples which could be considered. At the same time, however, a number of Governments expressed concern about the potential practical and financial implications of such an exercise. It was agreed that an item on national drug control plans would be included in the agenda for the thirty-ninth session of the Commission, and that the Executive Director would submit a report to that session containing information on the status of such plans, along with specific options as to how the Commission might in future consider the matter in more depth.

181. In further considering the draft provisional agenda, proposals were made to include a separate agenda item on stimulants and their precursors, as well as an item on the reduction of crops for the illicit supply of narcotic drugs. The Commission decided that the item on demand reduction should specifically target primary and secondary prevention of illicit demand as well as the regional expert forums on demand reduction. In any event, intersessional consultations among interested permanent missions at Vienna were recommended to clarify the exact points to be discussed under the various agenda items.

182. While the Commission expressed appreciation for the high quality of the documentation before it, greater effort was needed to ensure that documentation would be made available in all languages well in advance of the next session of the Commission, and should reflect adequate balance and consistency.

183. Several speakers regretted that it had not proven feasible to restrict the general debate to policy directives and issues of governance addressed to UNDCP. One representative said that statements in the general debate should be limited to only a few minutes on very important substantive matters. Recent practice, however, had tended to confirm a tendency to report also on

general government activities directed at drug control at both the national and international level. It was therefore considered logical to include a review of activities in the context of the Global Programme of Action in the general debate, while maintaining a separate agenda item on the System-Wide Action Plan and other coordination matters.

184. Reference was made to the exceptionally large number of draft resolutions presented at the session. A better system of prior consultation and coordination should be developed to avoid repetition or overlap and to shorten preambular material when possible. It was suggested that as soon as discussion of a technical issue was concluded, the preparation or review of a draft resolution should begin.

## Chapter X

# ADOPTION OF THE REPORT OF THE COMMISSION ON ITS THIRTY-EIGHTH SESSION

185. At its 1122nd meeting, on 23 March 1995, the Commission adopted by consensus the report on its thirty-eighth session (E/CN.7/1995/L.1 and Add.1-11), as orally amended.

# Chapter XI

# ORGANIZATION OF THE SESSION AND ADMINISTRATIVE MATTERS

## A. Opening and duration of the session

186. The Commission on Narcotic Drugs held its thirty-eighth session at Vienna from 14 to 23 March 1995. Fourteen plenary meetings (1109th-1122nd) and 11 meetings of the Committee of the Whole were held. UNDCP served as secretariat of the Commission. The representative of the Republic of Korea, acting on behalf of the outgoing Chairman, opened the thirty-eighth session.

## B. Attendance

187. The session was attended by the representatives of 49 States members of the Commission (Jamaica, Lesotho, Liberia and Yugoslavia were not represented), by observers of 43 other States and by representatives of 5 specialized agencies, 12 intergovernmental organizations and 20 non-governmental organizations in consultative status with the Economic and Social Council (annex I)

## C. Election of officers

188. At its 1109th meeting, on 14 March 1995, the Commission elected the following officers:

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| Chairman: | Ireneusz Matela (Poland) |
| Vice-Chairmen: | Balkan Kizildeli (Turkey)<br>Alberto Scavarelli (Uruguay)<br>Essam El Tersawy (Egypt) |
| Rapporteur: | Seyed Ali Mohammed Mousavi (Islamic Republic of Iran) |

189. A group composed of the five chairmen of the regional groups (the Ambassadors of Algeria, Ireland, Lebanon, Paraguay (Uruguay acting on behalf of Paraguay from 14 to 16 March 1995) and Slovakia) was established to assist the Chairman in dealing with organizational matters. That group together with the elected officers constituted the extended bureau foreseen in Commission resolution 9 (XXXV) of 14 April 1992. The extended bureau met four times to consider matters relating to the organization of work during the session.

## D. Adoption of the agenda

190. At its 1109th meeting, on 14 March 1995, the Commission adopted by consensus the provisional agenda (E/CN.7/1995/1) agreed on by the Commission at its thirty-seventh session, and approved by the Council in its decision 1994/231 of 20 July 1994. The agenda was as follows:

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. General debate and policy directives, with particular regard to the economic and social consequences of drug abuse and illicit trafficking.
4. Reduction of illicit demand for drugs:
    - (a) Basic principles of demand reduction;
    - (b) Prevention strategies including community participation;
    - (c) Integrated drug strategies: Interrelationship between law enforcement and demand reduction.
5. Illicit drug traffic and supply, including reports from subsidiary bodies and evaluation of their activities.
6. Implementation of the international drug control treaties:
    - (a) Changes in the scope of control of substances;
    - (b) International Narcotics Control Board;
    - (c) Other matters arising under the international drug control conventions.
7. Monitoring of the implementation of the Global Programme of Action and the United Nations System-Wide Action Plan on Drug Abuse Control.
8. Administrative and budgetary matters.
9. Follow-up to the results of the high-level plenary meetings at the forty-eighth session of the General Assembly to examine the status of international cooperation against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances.
10. Provisional agenda for the thirty-ninth session of the Commission and future work.

11. Other matters.

12. Adoption of the report of the Commission at its thirty-eighth session.

## E. Documentation

191. The documents before the Commission are listed in annex II.

# CHAPTER XII

## RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION AT ITS THIRTY-EIGHTH SESSION

### A. Resolutions

192. The Commission, at its thirty-eighth session, adopted the following resolutions:

### Resolution 1 (XXXVIII)

### Prohibition of the use of heroin*

The Commission on Narcotic Drugs,

Aware of the increasing abuse of heroin in a number of countries, often with fatal consequences, and of the growing advocacy of the non-medical use of heroin and its controlled supply to drug addicts,

Recalling Commission on Narcotic Drugs resolutions 5 (S-V) of 23 February 1978 and 2 (XXXII) of 11 February 1987,

Aware that proposals to legalize the non-medical use of heroin contradict the provisions of the international drug control treaties, in particular those relating to demand reduction, as contained in article 38 of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, 1/

Bearing in mind target 7 of the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control adopted by the International Conference on Drug Abuse and Illicit Trafficking, 2/ which drew attention to the danger of promoting advocacy of the non-medical use of drugs, including heroin,

Requests the Executive Director of the United Nations International Drug Control Programme to ask the International Narcotics Control Board and the World Health Organization for an opinion on this question for consideration by the Commission on Narcotic Drugs at its thirty-ninth session.

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1/ United Nations, Treaty Series, vol. 976, No. 14152.

2/ See Report of the International Conference on Drug Abuse and Illicit Trafficking, Vienna, 17-26 June 1987 (United Nations publication, Sales No. E.87.I.18), chap. I. sect. A.

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* See paragraph 55 above.

## Resolution 2 (XXXVIII)

## Promoting projects and programmes that use involvement in sports as an effective measure to prevent drug abuse*

The Commission on Narcotic Drugs,

Noting with satisfaction the successful outcome of the International Conference "Sport against drugs", held at Rome on 20 and 21 February 1995 at the headquarters of the Italian National Olympic Committee, organized jointly by the United Nations International Drug Control Programme and the European Olympic Committees on behalf of the International Olympic Committee,

Recalling that the Economic and Social Council, in its resolution 1993/35 of 27 July 1993, entitled "Demand reduction as part of balanced national strategic plans to combat drug abuse", stressed the importance of the development, by States, of comprehensive strategic plans to combat drug abuse and provide a focus for controlling the supply of, demand for and trafficking in narcotic drugs and psychotropic substances,

Believing that sports can contribute to the prevention of drug abuse, as involvement in sports can benefit adolescents by protecting them from drug abuse, and that the influence of élite athletes on society can be used to spread anti-drug messages,

Noting the signing on 21 February 1995 of a cooperation agreement between the United Nations International Drug Control Programme and the International Olympic Committee,

Acknowledging the final appeal of the International Conference "Sport against drugs", calling upon Governments, intergovernmental and non-governmental organizations, international sports federations, national Olympic committees, athletes and citizens throughout the world to recognize that the world drug abuse situation is alarming, and that involvement in sports can greatly contribute to preventing drug abuse among young people by strengthening their personalities and self-esteem,

Noting the possibility, debated at the International Conference "Sport against drugs", of making use of the image and commitment of high-level athletes to make young people aware of the dangers of drug abuse, of promoting sport activities among marginalized youth in selected cities, and of introducing sport components in drug abuse prevention programmes already being undertaken by the United Nations International Drug Control Programme in different States,

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* See paragraph 55 above.

1. *Invites* the United Nations International Drug Control Programme to consider introducing, whenever appropriate, in its demand reduction and other ongoing programmes, a component on the use of sports to prevent drug abuse,

2. *Also invites* the United Nations International Drug Control Programme to draw up, in collaboration with the International Olympic Committee, the national Olympic committees and sports federations, a programme of work on the use of sports to prevent drug abuse and submit it to potential donor Governments and organizations with the request to provide the resources necessary to implement the programme of work;

3. *Invites* Governments and appropriate non-governmental organizations to consider mobilizing national sport authorities and organizations for the promotion of pilot programmes to benefit deprived youth;

4. *Invites* the Organizing Committee of the XXVI Olympic Games, to be held at Atlanta, Georgia, United States of America, in 1996, and the United States Olympic Committee to disseminate during the Games messages related to the use of sports to prevent drug abuse,

5. *Requests* the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

## Resolution 3 (XXXVIII)

## Women and drug abuse*

The Commission on Narcotic Drugs,

Noting that a collaborative effort of the United Nations system has uncovered the previously unrecognized dimension of female drug abuse problems in many parts of the world as well as the disproportional socio-economic burdens on women who bear the consequences of drug abuse among their family members,

Deeply concerned by the growing problems in many countries involving illicit drug abuse, drug trafficking and human immunodeficiency virus (HIV) infection related to drug abuse among women and children in both developed and developing countries, in both rural and urban settings, affecting all socio-economic levels of those countries,

Aware of the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held at Beijing from 4 to 15 September 1995 and its draft Platform for Action, calling attention to strengthening prevention, treatment and social reintegration services for women affected by drug abuse,

Noting with appreciation the contribution resulting from the collaborative effort of the United Nations system in identifying the nature and extent of drug abuse and the problems that it poses for women, which cut across geographical and sociocultural distinctions and affect women directly as drug abusers in their roles within the family and the community and as workers in the field of drug abuse control,

Noting the particularly dangerous effects of dependence-producing substances during pregnancy, as well as the harmful behavioural and social consequences of drug abuse for the family, and the need for States to include accordingly in their national policies and programmes drug abuse prevention programmes that specifically concern women,

1. Urges States to recognize, assess and take into account in their national policies and programmes the problems that drug abuse poses for women;

2. Also urges States, in collaboration with non-governmental organizations, to develop and test activities to respond in an innovative way to the problems that drug abuse poses for women;

3. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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* See paragraph 55 above.

# Resolution 4 (XXXVIII)

## Reducing demand for narcotic drugs and psychotropic substances*

The Commission on Narcotic Drugs,

Aware that proposals to legalize the non-medical use of narcotic drugs and psychotropic substances contradict the provisions of the international drug control treaties,

Emphasizes the need to ensure the non-liberalization of the use of illicit narcotic drugs and psychotropic substances.

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* See paragraph 55 above.

## Resolution 5 (XXXVIII)

## Strategies for illicit supply reduction*

The Commission on Narcotic Drugs,

Reaffirming the need to apply effective strategies for supply reduction, based on the implementation of plans and programmes for alternative development, which have as their objectives the reduction and elimination of illicit drug production,

Confirming the need to implement the Global Programme of Action adopted by the General Assembly at its seventeenth special session, 1/ on 23 February 1990, with particular reference to paragraphs 38 and 39, concerning the control of supply of narcotic drugs and psychotropic substances,

Having studied the note by the Secretariat on strategies for illicit supply reduction, 2/

Taking note with satisfaction of the report of the Executive Director of the United Nations International Drug Control Programme on the activities of the Programme, 3/ describing the activities carried out in the field of supply reduction, particularly those referred to in paragraphs 116 and 117, and also of section IV, subsection D, concerning project evaluations,

Recalling that the General Assembly, in various resolutions, has recommended that special attention should be given to the implementation of alternative development programmes and projects as an effective mechanism for supply reduction,

Recognizing the need for the countries affected by the production of natural inputs for the illicit manufacture of drugs to take measures to reduce and eliminate cultivation for illicit purposes,

1. Urges Member States to recognize the need of the countries producing natural inputs for the illicit production of drugs to continue to receive cooperation for alternative development programmes and projects;

2. Requests the Executive Director of UNDCP to intensify efforts to obtain additional financial resources drawing on voluntary contributions from Governments, with UNDCP acting as a catalyst to multilateral financial institutions, in the implementation of alternative development programmes and projects;

3. Underlines the need for Governments to prepare and implement alternative development programmes with the objective

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* See paragraph 64 above.

of reducing and eliminating the production of illicit drugs, taking into account the economic, social, cultural, political and environmental aspects of the areas concerned;

4. Invites the Governments concerned to seek the assistance of various specialized bodies such as multilateral development banks and international financial institutions in pursuit of those objectives;

5. Reiterates its determination to continue regarding the alternative development strategy as an important component of economic and social action appropriate for supply reduction;

6. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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[1] See resolution S-17/2, annex.

[2] E/CN.7/1995/8.

[3] E/CN.7/1995/2.

## Resolution 6 (XXXVIII)

## Encouraging the reporting of suspicious or unusual transactions to a national organization in each State, and the development of effective communication among competent authorities to facilitate the investigation and prosecution of money-laundering activities*

The Commission on Narcotic Drugs,

Recognizing the growing threat posed to national economies by money-laundering activities, including those carried out by drug-trafficking and other criminal organizations,

Aware that the proceeds generated by drug trafficking and other illicit activities are being placed into legitimate financial institutions and non-financial businesses,

Underlining the fact that the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 1/ requires each party to the Convention to make money-laundering a criminal offence and to adopt the measures necessary to enable authorities to identify, trace and freeze or seize the proceeds of illicit drug trafficking,

Noting that the 1988 Convention calls upon parties to that Convention to develop training programmes for law enforcement and other personnel to target money-laundering related to drug trafficking operations and to assist one another in developing such programmes,

Recognizing the need for parties to the 1988 Convention to strengthen the implementation of that Convention, particularly in the area of combating money-laundering,

Acknowledging that in carrying out their obligations under the 1988 Convention the parties to that Convention should take the necessary measures in conformity with the fundamental provisions of their domestic legislation,

1. Urges States to encourage the reporting of suspicious or unusual transactions, or patterns of transactions, by banks, other financial institutions and, if possible, non-financial businesses dealing in large volumes of currency, in order to identify possible money-laundering operations, including those carried out by drug-trafficking and other criminal organizations;

2. Encourages each State to consider establishing a national organization to collect, review and analyse data on suspicious or unusual financial transactions;

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* See paragraph 64 above.

3. Believes that a national organization established pursuant to paragraph 2 above could share its information with the competent authorities, in order to assist them in case development and in the identification, tracing, and freezing or seizing of assets gained from illicit activities, including illicit drug trafficking;

4. Invites the United Nations International Drug Control Programme and Member States to consider including the establishment of such national organizations as a further element in the master-plan process of the Programme;

5. Emphasizes that effective communication among competent authorities as appropriate, including regulatory agencies, law enforcement agencies, prosecutors, the financial community, and the non-financial sector if possible, is important in facilitating the investigation and prosecution of those involved in illicit drug-trafficking organizations and in assisting in asset identification and forfeiture, and considers that one example of such communication might be the formation of a multidisciplinary financial investigative task force;

6. Recommends that Member States with experience in financial investigations and other relevant bodies should be encouraged to provide training, advice and other assistance to Member States at their request, particularly to those States whose financial systems put them at an increased risk of being targeted for money-laundering activities by drug-trafficking and other criminal organizations, and to ensure maximum coordination of such assistance;

7. Calls upon the United Nations International Drug Control Programme to facilitate as appropriate the provision of such assistance by transmitting requests to States and other relevant bodies prepared to provide it;

8. Urges Member States to inform the Programme of their plans to provide international investigative training to counter money-laundering activities, so that they may be included in the annual training calendar of the Programme;

9. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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1/ Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).

# Resolution 7 (XXXVIII)

## Adherence of States to the international drug control conventions*

The Commission on Narcotic Drugs,

Aware of the fact that a number of countries have not yet become parties to the Single Convention on Narcotic Drugs of 1961, 1/ that Convention as amended by the 1972 Protocol, 2/ the Convention on Psychotropic Substances of 1971 3/ and the United Nations Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances of 1988, 4/

Considering that the widest possible adherence to the international drug control conventions is essential to ensure the effectiveness of international efforts to combat drug abuse and illicit trafficking,

Emphasizing the special importance of the consistent and effective implementation of the international drug control conventions,

Noting considerable changes within the international community as a result of the emergence of a number of newly independent States,

Noting further that the accession by those States, in their capacity as successor States, to the international drug control conventions would be in the interest of the world community,

Recognizing the need to intensify and coordinate efforts to strengthen international cooperation against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances,

Recalling the role of the United Nations International Drug Control Programme in furnishing legal expertise to States on request,

1. Urges States that have not yet done so to become parties to, and effectively implement, the international drug control conventions, or, in the case of successor States, to confirm to the depositaries that they consider themselves to be bound by the obligations under those Conventions;

2. Recommends to Member States, whenever necessary, to seek the advice of the Secretary-General on matters relating to accession or succession to the international drug control conventions;

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* See paragraphs 145 and 146 above.

3. _Requests_ the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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_1_/ United Nations, _Treaty Series_, vol. 528, No. 7515.

_2_/ Ibid., vol. 976, No. 14152.

_3_/ Ibid., vol. 1019, No. 14956.

_4_/ _Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988_, vol. I (United Nations publication, Sales No. E.94.XI.5).

## Resolution 8 (XXXVIII)

### Endorsement of the report of the meeting of the Working Group on Maritime Cooperation*

The Commission on Narcotic Drugs,

Recognizing the increasing prevalence of illicit traffic by sea related to narcotic drugs and psychotropic substances,

Reaffirming that full respect for sovereignty and territorial integrity and the principles of the international law-of-the-sea regime should govern international cooperation in the fight against illicit traffic by sea of narcotic drugs and psychotropic substances,

Bearing in mind that the unique nature of illicit trafficking by sea requires maximum cooperation by Governments in its suppression as called for in article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,1/

Noting various bilateral, regional and multilateral agreements and mechanisms entered into by Governments pursuant to article 17 of the 1988 Convention,

Recalling its resolution 9 (XXXVII) of 21 April 1994, in which it requested the Executive Director of the United Nations International Drug Control Programme to establish and convene a working group on maritime cooperation, with the mandate to develop a comprehensive set of principles and specific recommendations to enhance, on a global basis, the implementation of article 17 of the 1988 Convention,

1. Welcomes and endorses the report of the meeting of the Working Group on Maritime Cooperation, held at Vienna from 19 to 23 September 1994 and from 20 to 24 February 1995, including the recommendations adopted by the Working Group, which are contained in the report;2/

2. Commends the Executive Director of the United Nations International Drug Control Programme, the Chairman of the Working Group on Maritime Cooperation and the Governments participating in the Working Group for the quality of the report;

3. Urges Governments to consider carefully the report, including the recommendations, of the Working Group on Maritime Cooperation as they implement the provisions of article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

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* See paragraphs 152-154 above.

4. Also urges Governments, pursuant to the recommendation contained in paragraph 12 of the report, to provide information to the Secretary-General, in accordance with article 20 of the 1988 Convention, on their implementation of article 17 of that Convention;

5. Recommends that, pursuant to the recommendations contained in paragraph 23 of the report, Governments should encourage commercial carriers and professional groups active in maritime transport to become involved in the fight against illicit drug traffic, on the basis of voluntary cooperation and through memoranda of understanding at the national and international levels, through training to increase the awareness of maritime transport personnel with regard to illicit drug trafficking;

6. Encourages, as recommended in paragraph 4 of the report, the international organizations concerned to provide to the United Nations International Drug Control Programme descriptions of their information systems and mechanisms and invites the Programme, within available resources, to disseminate that information for use by States;

7. Requests the United Nations International Drug Control Programme to convene, within available resources, a meeting of experts to develop training and technical assistance programmes in maritime drug law enforcement, pursuant to the recommendations contained in paragraph 9 of the report;

8. Encourages Governments to inform the United Nations International Drug Control Programme of their training and technical assistance requirements in the field of maritime drug law enforcement;

9. Also encourages Governments to consider providing voluntary contributions to enable the Programme to undertake the activities described in the present resolution;

10. Requests the Executive Director of the Programme to report on the status of the activities described in the present resolution to the Commission on Narcotic Drugs at its thirty-ninth session;

11. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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1/ Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).

2/ E/CN.7/1995/13.

## Resolution 9 (XXXVIII)

## Operational measures to ensure and strengthen cooperation between the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch of the Secretariat*

The Commission on Narcotic Drugs,

Convinced that the scope of international cooperation in the fields of drug abuse control and crime prevention and criminal justice should be increased as a matter of urgency,

Bearing in mind that effective action and cooperation at the national, regional and international levels depend on improved coordination of all activities related to drug control and crime prevention and criminal justice within the United Nations system,

Recalling General Assembly resolutions 45/179 of 21 December 1990, 46/152 of 18 December 1991, 47/91 of 16 December 1992, 48/103 and 48/112 of 20 December 1993 and 49/158 of 23 December 1994, Economic and Social Council resolutions 1992/22 of 30 July 1992 and 1994/13 of 25 July 1994, Council decision 1993/245 of 27 July 1993, Commission on Narcotic Drugs resolutions 8 (XXXVI) and 10 (XXXVI) of 7 April 1993 and 1 (XXXVII) of 20 April 1994, and Commission on Crime Prevention and Criminal Justice resolution 3/5 of 6 May 1994,

Recalling General Assembly resolution 48/228 of 23 December 1993, in which the Secretary-General was requested to strengthen the coordination between the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch of the Secretariat, taking into account the role of the Director-General of the United Nations Office at Vienna and the observations contained in paragraph IV.51 of the report of the Advisory Committee on Administrative and Budgetary Questions, 1/

Bearing in mind that the General Assembly, in its resolution 49/159 of 23 December 1994, approved the Naples Political Declaration and Global Action Plan against Organized Transnational Crime,2/ adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,

Considering that the Global Action Plan has provided an orientation for the action of States and the United Nations against organized crime, of which illicit drug trafficking represents one of the more widespread and alarming aspects,

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* See paragraph 162 above.

*Convinced* that the Global Action Plan represents a strong unanimous commitment requiring follow-up action by Member States, through coordination of the efforts of all competent entities of the United Nations system,

*Recalling* the Global Programme of Action adopted by the General Assembly at its seventeenth special session 3/ on 23 February 1990,

*Reiterating* the need for effective and coordinated action by the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch through the identification of appropriate measures on which there is governmental consensus,

*Noting* the respective mandates and separate budgets of the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch,

*Calling attention* to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held at Cairo from 29 April to 8 May, which will deal with drug control matters under item 4 of its provisional agenda,

*Reiterating also* the requests contained in paragraphs 5, 6 and 7 of Commission on Narcotic Drugs resolution 1 (XXXVII) of 20 April 1994 and in paragraphs 4, 5 and 6 of Commission on Crime Prevention and Criminal Justice resolution 3/5 of 4 May 1994,

1. *Requests* Member States to implement the Naples Political Declaration and Global Action Plan, with reference to the prevention and control of drug abuse and to the distribution of, and illicit trafficking in, narcotic drugs and psychotropic substances, taking into account that illicit trafficking constitutes one of the more alarming activities of organized transnational crime because of its capacity to destabilize social, economic and political institutions and to prejudice development;

2. *Requests* the United Nations International Drug Control Programme, in cooperation with the Crime Prevention and Criminal Justice Branch of the Secretariat within the framework of their respective mandates and existing resources, to jointly provide to requesting States technical assistance in the training of judicial and investigative personnel, and in the elaboration of legislation and treaties of mutual assistance in criminal matters and of extradition, particularly in connection with measures already described in paragraphs 15 to 17, 31 and 33 of the Global Action Plan;

3. *Requests* the Programme, in cooperation with the Branch within the framework of their respective mandates and existing resources, to jointly provide to requesting States assistance in the prevention and control of money-laundering and the illicit transfer of assets, on the basis of the recommendations contained in the Naples Political Declaration and Global Action

Plan, as well as in other relevant United Nations resolutions, particularly in the following areas:

(a) Introduction into national legislation of penal and administrative measures designed to identify and effectively control the laundering of all proceeds from drug-related crime, taking into account that the accumulation of illicit capital and the need to invest it in the legitimate economy constitute central activities of all operations in which organized crime is engaged;

(b) Adoption of legislative measures for the confiscation or seizure of illicit proceeds, preventive measures designed to promote ethical standards in public administration, the business sector, financial institutions and relevant professions, as well as measures to foster cooperation between the authorities in charge of regulating the financial and economic sectors and those applying penal laws;

4. Requests the Programme in cooperation with the Branch, within the framework of their respective mandates and existing resources, in undertaking joint technical cooperation activities, to seek to use the expertise of all competent organizations and entities, for the purpose of ensuring maximum effectiveness in the utilization of resources, in the elaboration of international instruments and in assisting States in needs assessment,

5. Requests the Programme to coordinate with the Branch in reporting annually to the Commission on Narcotic Drugs, and to assist the Branch in reporting to the Commission on Crime Prevention and Criminal Justice on progress achieved in the strengthening of coordination and the implementation of the present resolution;

6. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

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1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 7 (A/48/7).

2/ See A/49/748, sect.I.

3/ See resolution S-17/2, annex.

## Resolution 10 (XXXVIII)

## Coordination and cooperation between the United Nations International Drug Control Programme and the Economic Cooperation Organization*

The Commission on Narcotic Drugs,

Recalling that the United Nations International Drug Control Programme has the responsibility for coordinating and providing effective leadership in the field of drug control and related matters,

Noting the programmes of cooperation undertaken by the United Nations International Drug Control Programme in various regions pursuant to its mandate under General Assembly resolution 45/179 of 21 December 1990 to serve as the main focus for concerted international action for drug abuse control,

Considering the recognition by the Economic Cooperation Organization of the importance of cooperative fully and participating, within its field of competence, in regional drug control efforts,

Recognizing the need to strengthen regional cooperation to combat the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities,

Acknowledging the need to enhance efforts to coordinate international action against illicit drug-related activities and to minimize their harmful impact on society,

Welcoming the steps undertaken by member States of the Economic Cooperation Organization with a view to maximizing their contribution to international drug control efforts and to promoting the implementation of the international drug control treaties,

Noting with appreciation that the United Nations International Drug Control Programme and the Economic Cooperation Organization signed a memorandum of understanding on 15 March 1995,

1. Recommends the exchange of information, technical cooperation, programmes to meet the training needs of law enforcement agencies and mutual consultations on matters relating to drug abuse control in the member States of the Economic Cooperation Organization;

2. Calls on the United Nations International Drug Control Programme to devote greater attention to the region of the

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* See paragraph 162 above.

Economic Cooperation Organization, which is one of the areas most affected by the drug problem, and to assist the Organization and its member States in drawing up the necessary projects and programmes for that region;

3. Requests the United Nations International Drug Control Programme to draw up, in consultation with member States of the Economic Cooperation Organization, mutually beneficial memoranda of understanding on both a bilateral and a multilateral basis;

4. Also requests the Programme to promote both the implementation of the project already underway to strengthen law enforcement capabilities in the border areas in the region and its extension to other member States of the Economic Cooperation Organization.

## Resolution 11 (XXXVIII)

### Improvements in the United Nations System-Wide Action Plan on Drug Abuse Control*

The Commission on Narcotic Drugs,

Reaffirming the leadership role of the United Nations International Drug Control Programme as the main focus of concerted international action in matters relating to drug abuse control and as the international coordinator of drug control activities, especially within the United Nations system,

Recalling General Assembly resolution 48/12 of 28 October 1993, in which the Assembly requested the Economic and Social Council and the Commission on Narcotic Drugs to examine the status of international cooperation within the United Nations system against the illicit production, sale, demand, trafficking and distribution of narcotic drugs and psychotropic substances,

Recalling also Assembly resolution 49/168, section IV, of 23 December 1994, on implementation of the United Nations System-Wide Action Plan on Drug Abuse Control,1/

Recalling further Commission resolution 6 (XXXVII) of 20 April 1994 on improvements in the United Nations System-Wide Action Plan on Drug Abuse Control,

Recalling further Assembly resolution 47/199 of 22 December 1992 on the triennial policy review of operational activities for development within the United Nations system,

Recognizing that the complexity of the drug abuse problem and its interrelationship with socio-economic development calls for concerted action by and close cooperation between States, the relevant United Nations entities and the international financial institutions,

Reaffirming the need to strengthen the catalytic role of the United Nations International Drug Control Programme in engaging United Nations bodies and the international financial institutions in system-wide cooperation and coordination in order to maximize the impact of drug control activities,

1. Takes note of the report of the Executive Director of the United Nations International Drug Control Programme on strengthening system-wide cooperation and coordination in drug control; 2/

2. Takes note also of the conclusions and recommendations contained in the report on further ways and means of improving system-wide cooperation and coordination by a team of

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* See paragraph 162 above.

consultants pursuant to Commission on Narcotic Drugs resolution 6 (XXXVII), and urges the Executive Director to take them into account, in particular by ensuring that the role and strategic objectives of the Programme are clearly articulated and fully understood by other United Nations entities and the international financial institutions;

3. Welcomes the establishment of the resource mobilization and inter-agency coordination office within the Programme, and invites the Executive Director to ensure that adequate resources be allocated to enable it to function efficiently;

4. Welcomes also the conclusions of the meeting of the Administrative Committee on Coordination, held on 28 February 1995, regarding international drug abuse control, and requests the Executive Director to pursue their rapid implementation, in particular by:

(a) Initiating a review process to strengthen and render operational the United Nations System-Wide Action Plan on Drug Abuse Control, through the Subcommittee on Drug Abuse of the Committee;

(b) Promoting consultations between relevant organizations at the global, regional and subregional level;

(c) Elaborating, in cooperation with relevant agencies, of joint multi-agency sectoral or subsectoral plans of action for drug abuse control at the global, regional and subregional level;

(d) Assisting the Resident Coordinators in the creation, as soon as possible, of informal inter-agency groups, designed to ensure that drug abuse control needs are assigned the necessary priority and addressed in a coordinated manner, particularly in the preparation of country strategy notes;

5. Requests the Executive Director actively to promote the incorporation of drug control master plans into country strategy notes;

6. Invites the Executive Director to pursue joint initiatives with relevant United Nations entities and with the international financial institutions to identify specific examples of programmes and projects with a potential for inputs by the United Nations International Drug Control Programme;

7. Recommends that the Economic and Social Council, at its regular session in 1995:

(a) Request relevant United Nations entities to take steps to ensure that drug abuse issues are taken fully into account in the elaboration and implementation of their programmes and projects;

(b) Urge the international financial institutions fully to cooperate with the United Nations International Drug Control